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Sequence Number: 9-11-15
 Notice ID(s): 2380
 File Date: 9-9-15

Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission:	Tennessee Department of Finance and Administration
Division:	Bureau of TennCare
Contact Person:	George Woods
Address:	Bureau of TennCare 310 Great Circle Road Nashville, TN 37243
Phone:	(615) 507-6446
Email:	george.woods@tn.gov

Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

ADA Contact:	Talley A. Olson, Director HCFA Office of Civil Rights Compliance
Address:	Bureau of TennCare 310 Great Circle Road Nashville, TN 37243
Phone:	(615) 507-6474 For TTY dial 711 and ask for 855-286-9085
Email:	hcfa.fairtreatment@tn.gov

Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	Bureau of TennCare 310 Great Circle Road, Conference Room 1 East A		
City:	Nashville, TN		
Zip:	37243		
Hearing Date :	10/28/15		
Hearing Time:	9:00 a.m.	<input checked="" type="checkbox"/> CST/CDT	<input type="checkbox"/> EST/EDT

Additional Hearing Information:

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Revision Type (check all that apply):

- Amendments
- New
- Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
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1200-13-13	TennCare Medicaid
Rule Number	Rule Title
1200-13-13-.04	Covered Services
1200-13-13-.10	Exclusions
1200-13-13-.13	Member Abuse or Overutilization of the TennCare Pharmacy Program

(Place substance of rules and other info here. Statutory authority must be given for each rule change. For information on formatting rules go to <http://state.tn.us/sos/rules/1360/1360.htm>)

Rule 1200-13-13-.04 Covered Services, Paragraph (1), Subparagraph (c), Part 9 is deleted in its entirety and replaced with new Parts 9 and 10 and the current Part 10 is renumbered as Part 11, which shall read as follows:

9. Buprenorphine products for opiate addiction treatment for persons aged 21 and older are restricted as follows:
 - (i) Dosage shall not exceed sixteen milligrams (16 mg) per day for a period of up to six (6) months from the initiation of therapy. For enrollees who are pregnant while receiving this dosage, the six-month period does not begin until the enrollee is no longer pregnant. At the end of either six month period, the covered dosage amount shall not exceed eight milligrams (8 mg) per day.
 - (ii) Therapy shall be limited to a total lifetime period of coverage not to exceed a total of 732 therapy days, which do not have to be consecutive. For enrollees who are pregnant on day 732 of treatment, the treatment may continue until the enrollee is no longer pregnant.
 - (iii) Effective October 1, 2015, enrollees who have exceeded 549 days of treatment will receive coverage for an additional 183 days of therapy prior to exhaustion of their lifetime coverage limits.
10. Sedative hypnotic medications for persons aged 21 and older shall not exceed fourteen (14) pills per month for sedative hypnotic formulations in pill form such as Ambien and Lunesta, one hundred forty milliliters (140 ml) per month of chloral hydrate, or one (1) bottle every sixty (60) days of Zolpimist.
11. Allergy medications.

Statutory Authority: T.C.A. §§ 4-5-202, 4-5-203, 71-5-105 and 71-5-109.

Rule 1200-13-13-.10 Exclusions, Paragraph (3), Subparagraph (a), Part 17, Subpart (vii) is deleted in its entirety and replaced with a new Subpart (vii) which shall read as follows:

- (vii) Buprenorphine-containing products used for treatment of opiate addiction in excess of the covered amounts listed below:
 - (I) Dosage of sixteen milligrams (16 mg) per day for a period of up to six (6) months (183 days) from the initiation of therapy or from the conclusion of pregnancy, if the enrollee is pregnant during this initial maximum dosage therapy;
 - (II) Dosage of eight milligrams (8 mg) per day after the sixth (6th) month (183rd day) of therapy;
 - (III) Total lifetime coverage of 732 therapy days (24 months), which do not have to be consecutive, but if the enrollee is pregnant on day 732 of therapy, treatment may continue until the conclusion of pregnancy; and
 - (IV) Effective October 1, 2015, enrollees who have exceeded 549 days (18 months) of therapy will receive coverage for an additional 183 days of therapy prior to exhaustion of their lifetime coverage limits.

Rule 1200-13-13-.10 Exclusions, Paragraph (3), Subparagraph (b), Part 88 is amended by inserting the punctuation and language ", four (4) confirmation urine screens and two (2) specific assay tests" between the number "(12)" and the word "during" so that as amended the Part shall read as follows:

88. Urine drug screens in excess of twelve (12), four (4) confirmation urine screens and two (2) specific assay tests during a calendar year.

Statutory Authority: T.C.A. §§ 4-5-202, 4-5-203, 71-5-105 and 71-5-109.

Rule 1200-13-13-.13 Member Abuse or Overutilization of the TennCare Pharmacy Program, Paragraph (2), Subparagraph (a), Part 2 is deleted in its entirety and replaced with a new Part 2 which shall read as follows:

2. Any enrollee who has used buprenorphine-containing products for office based opioid addiction treatment within the previous six (6) months.

Rule 1200-13-13-.13 Member Abuse or Overutilization of the TennCare Pharmacy Program, Paragraph (6), Subparagraph (a), Part 2 is deleted in its entirety and replaced with a new Part 2 which shall read as follows:

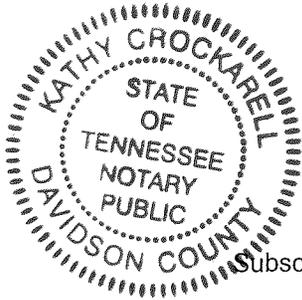
2. Has not received any narcotic medications while on buprenorphine-containing products for addiction.

Rule 1200-13-13-.13 Member Abuse or Overutilization of the TennCare Pharmacy Program, Paragraph (7), Subparagraph (b), Part 4 is deleted in its entirety and replaced with a new Part 4 which shall read as follows:

4. Has received a narcotic prescription while receiving buprenorphine-containing products for addiction.

Statutory Authority: T.C.A. §§ 4-5-202, 4-5-203, 71-5-105 and 71-5-109.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.



Date: 9/8/2015

Signature: *D. J. Gordon*

Name of Officer: Darin J. Gordon

Director, Bureau of TennCare

Title of Officer: Tennessee Department of Finance and Administration

Subscribed and sworn to before me on: September 8 2015

Notary Public Signature: *Kathy Crockarell*

My commission expires on: January 8, 2019

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Filed with the Department of State on: 9/9/15

Tre Hargett

Tre Hargett
Secretary of State

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