



New Hampshire Department of Health and Human Services

SUBSTANCE USE DISORDER SERIOUS MENTAL ILLNESS AND SERIOUS EMOTIONAL DISTURBANCE TREATMENT AND RECOVERY ACCESS SECTION 1115(a) RESEARCH AND DEMONSTRATION WAIVER

**Annual Post Award Forum - MCAC
November 13, 2023**

Agenda

- **SUD Overview**
- **SMI Overview**
- **Timeline of Significant Actions**
- **Notable Accomplishments**
- **Timeline of Future Deliverables**
- **Next Steps**
- **Questions**

SUD Overview

The New Hampshire Department of Health and Human Services requested a Substance Use Disorder Treatment and Recovery Access Section 1115(a) Demonstration Waiver to allow New Hampshire to provide Medicaid payments for individuals receiving substance use disorder (SUD) services in an Institution for Mental Disease (IMD). This request furthers the objectives of Title XIX (i.e., Medicaid) by increasing access to residential SUD treatment services for adults and adolescents in New Hampshire and was approved by Center for Medicare and Medicaid Services (CMS) on July 10, 2018.

Specifically, New Hampshire requested that:

- 1) CMS waive Section 1905(a)(29)(B), 42 CFR 438.6(e), and 1905(a)(31)(B) to allow a waiver of the IMD exclusion for Medicaid-eligible individuals aged under 65 receiving residential substance use disorder treatment in an IMD for as long as is medically necessary.
- 2) CMS expand the exception to the IMD exclusion in 42 CFR 441.11(c)(5) to the provider type Comprehensive SUD program, as described in He-W 513.02 (b) to allow New Hampshire to claim federal financial participation (FFP) for individuals under 21 receiving residential substance use disorder treatment in these facilities for long as is medically necessary.

SMI Overview

- The Serious Mental Illness (SMI) amendment was approved on June 2, 2022, to coincide with the term of the SUD-Treatment and Recovery Access (TRA) ending on June 30, 2023 (which CMS subsequently extended to June 30, 2024, in a letter dated June 16, 2023).
- This amendment expanded the existing 1115 SUD-TRA demonstration to include a waiver of the IMD exclusion rule for Medicaid beneficiaries ages 21-64 with SMI who need residential or inpatient hospital level treatment
- This is intended as part of New Hampshire's approach to addressing the increase in Emergency Department boarding and to support the comprehensive, integrated continuum of mental health treatments and care available in the state
- Initially, New Hampshire Hospital and Hampstead Hospital are the only providers participating in the SMI component of the demonstration

Timeline of Significant Actions

July 10, 2018

- Demonstration SMI Amendment Approved
- FFP for expenditures began
- SUD Implementation Protocol approved

April 2019

- Initial Evaluation Plan Design submitted to CMS

May 2019

- Final Evaluation Plan submitted to and approved by CMS

August 2020

- Budget Neutrality Amendment submitted to prospectively adjust budget neutrality target

March 2021

- PHPG selected as evaluator for Mid-Point Assessment and Evaluation Plan

June 2021

- CMS approved Budget Neutrality Amendment and issued revised STC's

September 2021

- SMI Amendment to the demonstration waiver submitted

June 2022

- SMI Amendment to the demonstration waiver approved

September 2022

- Extension of the SUD-SMI-SED 1115(a) demonstration for an additional 5-year period submitted including Denture coverage for nursing facility residents and Community Reentry

June 2023

- Temporary extension of demonstration for up to one year

Notable Accomplishments DY5

- The SUD-TRA demonstration was expanded to include coverage for SMI & Serious Emotional Disturbance (SED), becoming the SUD-SMI-SED TRA demonstration in 2022. The demonstration was subsequently approved for an amendment on 3/17/23 to include a denture benefit for Medicaid beneficiaries in nursing facilities.
- The demonstration at this time, covers beneficiaries who are Medicaid eligible and receiving SUD, SMI or SED services in an IMD, and the denture benefit. NH DHHS continues to work with CMS on an amendment to the demonstration that would include, if approved, a tailored package of care coordination services to be provided during the 45-day period prior to release for inmates of a public institution within the NH Department of Corrections system of state prisons for individuals who are otherwise eligible for Medicaid and have a history of SUD or SMI.
- The revised closed loop referral solution request for proposal (RFP) was released in September 2023 with potential contract award in Spring 2024, pending CMS approval of the resulting draft contract for enhanced federal match and State approval by the NH Governor and Executive Council. The Department anticipates project launch will still be able to timely accommodate and support achievement of Health Information Technology (HIT) related activities within the demonstration's SMI-SED implementation plan.

Timeline of Future Deliverables

2023

- SUD-SMI-SED demonstration waiver is extended for up to one year. Ongoing communication with CMS for full 5-year extension approval that includes Dentures for Medicaid beneficiaries in nursing facilities and Community reentry for incarcerated individuals with SUD-SMI
- Regular quarterly monitoring reports, annual report, and annual post-award forum

2024

- Initial Draft Summative Evaluation Report due to CMS in December

2025

- Initial Final Evaluation report due to CMS in March

Next Steps

- Receive SUD-SMI-SED 1115(a) 5-year demonstration extension approval to include Dentures and Community Reentry from CMS
- Submission of the community reentry implementation plan and launch of the authority following approval by CMS
- Ongoing data collection and analysis of the Prescription Drug Monitoring Program (PDMP)
- Approval of the IMD Administrative Rule

Questions and Answers