

**STATE OF RHODE ISLAND  
EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES**

**2/28/2014 PUBLIC NOTICE OF PROPOSED AMENDMENT TO RHODE ISLAND  
MEDICAID STATE PLAN**

In accordance Rhode Island General Laws 42-35, notice is hereby given that the Executive Office of Health and Human Services (EOHHS) proposes to make the following amendment to the Rhode Island State Plan under Title XIX of the Social Security Act:

**Coverage of Barbiturates, Benzodiazepines, and Smoking Cessation Drugs**

Section 2502 of the Affordable Care Act eliminates the exclusion of coverage on certain drugs. Beginning on 1 January 2014, barbiturates, benzodiazepines, and agents used to promote smoking cessation will now be covered by the Rhode Island Medicaid program and will be available to Medicaid beneficiaries (other than dual eligibles).

For Medicaid beneficiaries that also have Medicare (dual eligible beneficiaries), beginning 1 January 2014, benzodiazepines and barbiturates are covered as Part D drugs for all medically accepted indications. Prescription smoking cessation drugs are already covered by Part D.

This proposed amendment is accessible on the EOHHS website ([www.eohhs.ri.gov](http://www.eohhs.ri.gov)) or available in hard copy upon request (401-462-1965 or RI Relay, dial 711). Interested persons should submit data, views, or written comments by 31 March 2014 to Darren J. McDonald, Office of Policy and Innovation, Executive Office of Health and Human Services, 57 Howard Avenue, Cranston, RI, 02920, or [darren.mcdonald@ohhs.ri.gov](mailto:darren.mcdonald@ohhs.ri.gov).

In accordance with the Rhode Island General Laws 42-35-3, an oral hearing will be granted on the proposed State Plan Amendment if requested by twenty-five (25) persons, an agency, or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice.

The Executive Office of Health and Human Services does not discriminate against individuals based on race, color, national origin, sex, gender identity or expression, sexual orientation, religious belief, political belief, or handicap in acceptance for or provision of services or employment in its programs or activities.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: Rhode Island

MEDICAID PROGRAM: REQUIREMENTS RELATING TO COVERED OUTPATIENT  
DRUGS FOR THE CATEGORICALLY NEEDY

12.a. Prescribed Drugs: Description of Service Limitation

| Citation(s)               | Provision(s)  |
|---------------------------|---|
| 1935(d)(1)                | Effective January 1, 2006, the Medicaid agency will not cover any Part D drug for full-benefit dual eligible individuals who are entitled to receive Medicare benefits under Part A or Part B.  |
| 1927(d)(2) and 1935(d)(2) | <p>The Medicaid agency provides coverage for the following excluded or otherwise restricted drugs or classes of drugs, or their medical uses to all Medicaid recipients, including full benefit dual eligible beneficiaries under the Medicare prescription Drug Benefit –Part D.</p> <p><input type="checkbox"/> <b>The following excluded drugs are covered:</b></p> <p><i>(“All” drugs categories covered under the drug class)</i> <input type="checkbox"/></p> <p><i>(“Some” drugs categories covered under the drug class XX<br/>-List the covered common drug categories not individual drug products directly under the appropriate drug class)</i></p> <p><i>(“None” of the drugs under this drug class are covered)</i> <input type="checkbox"/></p> <p>XX (a) agents when used for anorexia, weight loss, weight gain</p> <p><input type="checkbox"/> (b) agents when used to promote fertility</p> <p><input type="checkbox"/> (c) agents when used for cosmetic purposes or hair growth</p> <p>XX (d) agents when used for the symptomatic relief of cough and colds</p> |

p. 5a.2

TN#14-005  
Supersedes  
TN: 13-009

Approved: \_\_\_\_\_

Effective: 1/1/2014

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: Rhode Island

MEDICAID PROGRAM: REQUIREMENTS RELATING TO COVERED OUTPATIENT  
DRUGS FOR THE CATEGORICALLY NEEDY

12.a. Prescribed Drugs: Description of Service Limitation

| Citation(s)              | Provision(s)   |
|--------------------------|--|
| XX                       | I prescription vitamins and mineral products, except prenatal vitamins and fluoride  |
| XX                       | (f) nonprescription drugs  |
| <input type="checkbox"/> | (g) covered outpatient drugs which the manufacturer seeks to require as a condition of sale that associated tests or monitoring services be purchased exclusively from the manufacturer or its designee (see specific drug categories below) |
| XX                       | (h) barbiturates ( <b><u>Except for dual eligible individuals effective January 1, 2014 as Part D will cover all indications</u></b> )   |
| XX                       | (i) benzodiazepines ( <b><u>Except for dual eligible individuals effective January 1, 2013 as Part D will cover all indications</u></b> )  |
| XX                       | (j) smoking cessation drugs (Except for dual eligible individuals as Part D will cover these drugs)  |

p. 5a.3

TN#14-005  
Supersedes  
TN: 13-009

Approved: \_\_\_\_\_

Effective: 1/1/2014