



# SENATE BILL 681: Agency Policy Directives/2019-2020, Sec. 4D.4: LME/MCO Out-of-Network Agreements

2019-2020 General Assembly

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<b>Committee:</b>		<b>Date:</b>	November 6, 2020
<b>Introduced by:</b>		<b>Prepared by:</b>	Jessica Boney Staff Attorney
<b>Analysis of:</b>	Sec. 4D.4 of S.L. 2020-78		

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**OVERVIEW:** *Section 4D.4 of S.L. 2020-78 requires local management entities/managed care organizations (LME/MCOs) to utilize out-of-network agreements between a single provider of behavioral health or intellectual and developmental disability (IDD) services and the LME/MCO to ensure access to care. LME/MCOs must use an out-of-network agreement instead of a comprehensive provider contract to allow their enrollees to receive services outside of the LME/MCO's catchment area when certain conditions are met.*

*LME/MCOs may not restrict the number of out-of-network agreements to provide inpatient hospitalization services except in limited circumstances or restrict the number of out-of-network agreements for other behavioral health and IDD services to foster children or independent foster care adolescents who are already receiving services from the provider.*

*Any provider enrolled in the North Carolina Medicaid program that provides services pursuant to an out-of-network agreement must be considered a network provider for purposes of Chapter 108D of the General Statutes only as it relates to enrollee grievances and appeals for those services.*

*This section became effective July 1, 2020.*

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