



2021-2022 General Assembly

HOUSE BILL 103: 2022 Appropriations Act, Sec. 9D.13: Changes Related to Behavioral Health and Intellectual/Developmental Disabilities Tailored Plans Launch

Committee:		Date:	August 16, 2022
Introduced by:		Prepared by:	Jennifer Hillman
Analysis of:	Sec. 9D.13 of S.L. 2022-74		Staff Attorney

OVERVIEW: Section 9D.13 of S.L. 2022-74 makes the following changes related to behavioral health and intellectual/developmental disabilities (BH IDD) tailored plans:

- Temporarily delays the coverage of outpatient point-of-sale prescription drugs by BH IDD tailored plans for up to six months.
- Temporarily suspends, through December 31, 2023, the statutory solvency standards applicable to local management entity/managed care organization (LME/MCOs). The Department of Health and Human Services (DHHS), Division of Health Benefits, is required to submit, no later than March 1, 2023, recommended solvency standards for LME/MCOs operating BH IDD tailored plans. The report must be submitted to the Joint Legislative Oversight Committee on Health and Human Services, the Joint Legislative Oversight Committee on Medicaid and NC Health Choice, and the Fiscal Research Division.
- Clarifies the meaning of "closed network" (in G.S. 108D-21 and G.S. 108D-23) and specifies that BH IDD tailored plans are required to include in their closed provider networks all providers in their catchment area that provide behavioral health, intellectual and developmental disability, or traumatic brain injury services and that are designated as essential providers by DHHS.
- Temporarily, through December 1, 2023, requires the dissolution of an LME/MCO upon the termination of its contract to operate a BH IDD tailored plan. No later than January 10, 2023, DHHS must recommend to the Joint Legislative Oversight Committee on Medicaid and NC Health Choice actions to be taken in the future if a contract for a BH IDD tailored plan, a capitated arrangement, or the 1915(b)/(c) waiver is terminated with an LME/MCO.

This section became effective July 1, 2022.

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Legislative Analysis
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