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**State/Territory Name: North Dakota**

**State Plan Amendment (SPA) #: 19-0018**

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) 179
- 3) Approved SPA Pages

DEPARTMENT OF HEALTH & HUMAN SERVICES  
Centers for Medicare & Medicaid Services  
7500 Security Boulevard, Mail Stop S2-14-26  
Baltimore, Maryland 21244-1850



**Center for Medicaid and CHIP Services**

**Disabled and Elderly Health Programs Group**

March 4, 2020

Caprice Knapp, Director  
Medical Services Division  
ND Department of Human Services  
600 East Boulevard Avenue Dept 325  
Bismarck, ND 58505-0250

Dear Ms. Caprice:

The CMS Division of Pharmacy team has reviewed North Dakota's State Plan Amendment (SPA) 19-0018 received in the Denver Regional Operations Group on December 23, 2019. This SPA proposes to allow the state to comply with the Medicaid Drug Utilization Review (DUR) provisions included in Section 1004 of the Substance Use-Disorder Prevention that promotes Opioid Recovery and Treatment (SUPPORT) for Patients and Communities Act (P.L. 115-271).

Based on the information provided and consistent with the regulations at 42 CFR 430.20, we are pleased to inform you that SPA 19-0018 is approved with an effective date of October 1, 2019. A copy of the signed CMS-179 form, as well as the pages approved for incorporation into North Dakota's state plan will be forwarded by the Denver Regional Operations Group.

If you have any questions regarding this amendment, please contact Whitney Swears at (410) 786-6543 or [Whitney.Swears@cms.hhs.gov](mailto:Whitney.Swears@cms.hhs.gov).

Sincerely,

/s/

John M. Coster, Ph.D., R.Ph.  
Director, Division of Pharmacy

cc: Brendan Joyce, North Dakota Pharmacy Administrator  
Mary Marchioni, Associate Regional Administrator  
Kirstin Michels, CMS Division of Program Operations - North Branch



Revision: HCFA-PM-93-3 (MB)

OMB No.

State/Territory: North DakotaCitation

1902(a)(85) and  
Section 1004 of the  
Substance Use-Disorder  
Prevention that  
Promotes Opioid  
Recovery and Treatment  
for Patients and  
Communities Act  
(SUPPORT Act)

**Claim Review Limitations**

- Prospective safety edits on opioid prescriptions to address days' supply, early refills, duplicate fills and quantity limitations for clinical appropriateness.
- Prospective safety edits on maximum daily morphine milligram equivalents (MME) on opioids prescriptions to limit the daily morphine milligram equivalent (as recommended by clinical guidelines).
- Retrospective reviews on opioid prescriptions exceeding these above limitations on an ongoing basis.
- Retrospective reviews on concurrent utilization of opioids and benzodiazepines as well as opioids and antipsychotics on an ongoing periodic basis.

**Programs to monitor antipsychotic medications to children:** Antipsychotic agents are reviewed for appropriateness for all children including foster children based on approved indications and clinical guidelines.

**Fraud and abuse identification:** The DUR program has established a process that identifies potential fraud or abuse of controlled substances by enrolled individuals, health care providers and pharmacies.

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 TN No.: 19-0018

Supersedes

TN No.: NEWApproval Date: 3/4/2020Effective Date: 10-01-2019