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State/Territory Name: **New Jersey** / Region II

State Plan Amendment (SPA) #: **NJ-18-0008**

- 1) Approval Letter
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- 3) NJ State Plan Pages

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
New York Regional Office
26 Federal Plaza, Room 37-100
New York, NY 10278



DIVISION OF MEDICAID & CHILDREN'S HEALTH OPERATIONS
DMCHO: ZYM: SPA-NJ-18-0008-Approval Letter

October 29, 2018

Meghan Davey, Director
Medical Assistance and Health Services
Department of Human Services
CN 12 Quakerbridge Plaza
Trenton, New Jersey 08625-0712

RE: Title XIX State Plan Amendment (SPA), Transmittal # NJ 18-0008

Dear Ms. Davey:

We have reviewed the proposed New Jersey State Plan Amendment 18-0008, which was submitted to the New York Regional Office on September 24, 2018. This SPA implements the approved 2019 Appropriations Act regarding reimbursement for Advance Care Planning (ACP) visits to reimburse consistently with a percentage of the Medicare reimbursement policy based on date of service.

Based on the information provided, the Medicaid State Plan Amendment 18-0008 was approved on October 29, 2018. The approved effective date of this amendment is September 1, 2018. We are enclosing the approved HCFA-179 inclusive of the pen and ink authorizations and the approved program and reimbursement plan pages.

If you have any additional questions or need further assistance, please contact Yvette Moore at (646) 694-0915 or Yvette.Moore@cms.hhs.gov.

Sincerely,

Michael Melendez, LMSW
Associate Regional Administrator
Division of Medicaid & Children's Health Operations

**TRANSMITTAL AND NOTICE OF APPROVAL OF
STATE PLAN MATERIAL**

FOR: CENTERS FOR MEDICARE & MEDICAID SERVICES

TO: REGIONAL ADMINISTRATOR
CENTERS FOR MEDICARE & MEDICAID SERVICES
DEPARTMENT OF HEALTH AND HUMAN SERVICES

1. TRANSMITTAL NUMBER:
18-0008 MA

2. STATE
New Jersey

3. PROGRAM IDENTIFICATION: TITLE XIX OF THE
SOCIAL SECURITY ACT (MEDICAID)

4. PROPOSED EFFECTIVE DATE
September 1, 2018

5. TYPE OF PLAN MATERIAL (*Check One*):

NEW STATE PLAN AMENDMENT TO BE CONSIDERED AS NEW PLAN AMENDMENT

COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (*Separate Transmittal for each amendment*)

6. FEDERAL STATUTE/REGULATION CITATION:

Social Security Act Sec 1905(a)(5)(A)

7. FEDERAL BUDGET IMPACT:

a. FFY 2018 \$ 58.3K
b. FFY 2019 \$ 700K

8. PAGE NUMBER OF THE PLAN SECTION OR
ATTACHMENT:

Addendum to Attachment 3.1-A Page 5(a).1
Addendum to Attachment 3.1-B Page 5(a).1

9. PAGE NUMBER OF THE SUPERSEDED PLAN
SECTION OR ATTACHMENT (*If Applicable*):

Same
Same

10. SUBJECT OF AMENDMENT:

Advance Care Planning

11. GOVERNOR'S REVIEW (*Check One*):

GOVERNOR'S OFFICE REPORTED NO COMMENT
 COMMENTS OF GOVERNOR'S OFFICE ENCLOSED
 NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL

OTHER, AS SPECIFIED:
Not required, pursuant to 7.4 of the Plan

12. SIGNATURE OF STATE AGENCY OFFICIAL:

13. TYPED NAME: *Carole Johnson*

14. TITLE: Commissioner,
Department of Human Services

15. DATE SUBMITTED: *9/24/18*

16. RETURN TO:

Meghan Davey, Director
Division of Medical Assistance and Health
Services
P.O. Box 712, Mail Code #26
Trenton, NJ 08625-0712

FOR REGIONAL OFFICE USE ONLY

17. DATE RECEIVED: September 24, 2018

18. DATE APPROVED:
OCTOBER 29, 2018

PLAN APPROVED - ONE COPY ATTACHED

19. EFFECTIVE DATE OF APPROVED MATERIAL:
September 1, 2018

20. SIGNATURE OF REGIONAL OFFICIAL:

21. TYPED NAME:
Michael Melendez

22. TITLE:
Associate Regional Administrator (ARA)

23. REMARKS:

PEN/INK Authorizations: Block 7a. FFY 2018 \$62.5K ; Block 7b. FFY 2019 \$750K
Block 8 - Attachment 4.19B, Page 4.1 ; Block 9 - Attachment 4.19B, Page 4.1 (NEW PAGE)

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
STATE OF NEW JERSEY

METHODS AND STANDARDS FOR ESTABLISHING PAYMENT RATES FOR NON-
INSTITUTIONAL SERVICES

PHYSICIAN SERVICES (cont'd)

Advance Care Planning Services

Advance Care Planning (ACP) services for physicians are paid at 50% of the current published Medicare rate in the year the service was provided in. The rates are the same for both governmental and private providers.

18-0008 MA (NJ)

TN: 18-0008 MA (NJ)

Approval Date: October 29, 2018

SUPERCEDES: NEW

Effective Date: September 1, 2018

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
Limitations on Amount, Duration and Scope of Services
Provided to the Categorically Needy
Physicians' Services (cont'd):

Immunizations are limited according to Division guidelines as follows:

- (1) Routine childhood immunizations provided in accordance with Division guidelines;
- (2) *Post-exposure prophylaxis; or
- (3) *Selected high-risk groups.

*Regardless of age

Medical services, medical procedures or prescription drugs whose use is to promote or enhance fertility are not covered services.

Physician services include Advance Care Planning (ACP). ACP includes the discussion about the care a beneficiary would want to receive if they become unable to speak for themselves including the explanation and discussion of advance directives such as standard forms (with the completion of such forms, when performed), by the physician or other qualified health professional face-to-face with the patient, family member(s), and /or surrogate. ACP services may be billed by physicians and non-physicians practitioners whose scope of practice and benefit category include the services described by the applicable CPT code.

TN No. 18-0008

Approval Date: October 29, 2018

Supersedes TN 12-09

Effective Date: September 1, 2018

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
Limitations on Amount, Duration and Scope of Services
Provided to the Medically Needy Groups
Pregnant Women, Dependent Children, and the Aged, Blind or Disabled
Physicians' Services (cont'd):

Medical services, medical procedures or prescription drugs whose use is to promote or enhance fertility are not covered services.

HealthStart services are limited to pregnant women and dependent children under the age of two.

Physician services are provided for all three coverage groups (pregnant women, dependent children, and the aged, blind or disabled).

Physician services include Advance Care Planning (ACP). ACP includes the discussion about the care a beneficiary would want to receive if they become unable to speak for themselves including the explanation and discussion of advance directives such as standard forms (with the completion of such forms, when performed), by the physician or other qualified health professional face-to-face with the patient, family member(s), and /or surrogate. ACP services may be billed by physicians and non-physicians practitioners whose scope of practice and benefit category include the services described by the applicable CPT code.