

Provisions related to Medicare Part D Prescription Drug Coverage

Pursuant to Section 1935(d)(1) of the Social Security Act, 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.

Pursuant to Sections 1927(d)(2) and 1935(d)(2) of the Social Security Act, the Medicaid agency provides coverage for the following Medicare-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.

The following drugs, which are subject to restriction under Section 1927(d)(2) of the Social Security Act, are covered:

- (a) agents when used for anorexia, weight loss, or weight gain
- (b) agents when used to promote fertility
- (c) agents when used for cosmetic purposes or hair growth
- (d) agents when used for the symptomatic relief of cough and colds (only cough suppressants)
- (e) agents when used to promote smoking cessation
- (f) prescription vitamins and mineral products, except prenatal vitamins and fluoride preparations
- (g) nonprescription drugs (only cough suppressants, antacids, antidiarrheals, stool softeners, laxatives), except, in the case of pregnant women (and postpartum women through the end of the month in which the 60-day period following termination of pregnancy ends) when recommended in accordance with the Guideline referred to in section 1905(bb)(2)(A), agents approved by the Food and Drug Administration under the over-the counter monograph process for purposes of promoting, and when used to promote, tobacco cessation
- (h) 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
- (i) barbiturates (Not covered for dually eligible individuals effective January 1, 2013 when used in the treatment of epilepsy, cancer or a chronic mental health disorder as Medicare Part D will cover those indications)
- (j) benzodiazepines (Not covered for dually eligible individuals effective January 1, 2013 as Medicare Part D will cover all indications)
- (k) Agents when used for the treatment of sexual or erectile dysfunction, unless such agents are used to treat a condition, other than sexual or erectile dysfunction, for which the agents have been approved by the Food and Drug Administration.

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