

DEPARTMENT OF HEALTH & HUMAN SERVICES  
Centers for Medicare & Medicaid Services  
150 S. Independence Mall West  
Suite 216, The Public Ledger Building  
Philadelphia, Pennsylvania 19106-3499



**Region III/Division of Medicaid and Children's Health Operations**

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SWIFT #032620134025

**MAY 31 2013**

Nancy V. Atkins, MSN, RNC, NP  
Commissioner  
Bureau for Medical Services  
350 Capitol Street, Room 251  
Charleston, West Virginia 25301-3706

Re: Approval-WV SPA 13-001, Benzodiazepines and Barbiturates for Dual Eligible Members

Dear Commissioner Atkins:

The Centers for Medicare & Medicaid Services (CMS) would like to inform you of the approval of West Virginia's State Plan Amendment (SPA) 13-001 entitled Benzodiazepines and Barbiturates for Dual Eligible Members. The Pharmacy Team at CMS approved this SPA on May 31, 2013 and you were duly notified. This SPA proposes to discontinue covering claims for dual eligible beneficiaries when prescribed barbiturates for the treatment of epilepsy, cancer, or a chronic mental health disorders and benzodiazepines for all indications as Medicare Part D will provide this coverage effective January 1, 2013.

The effective date of this amendment is January 1, 2013. Enclosed are the approved State Plan page and a copy of the signed Form CMS-179.

If you have any questions about this SPA, please contact Margaret Kosherzenko of my staff at 215-861-4288.

Sincerely,

A handwritten signature in black ink, appearing to read "Francis McCullough". The signature is fluid and cursive.

*f* Francis McCullough  
Associate Regional Administrator

Enclosures

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



**Disabled & Elderly Health Programs Group**

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May 31, 2013

Nancy V. Atkins  
Commissioner  
Bureau for Medical Services  
Department of Health and Human Resources  
350 Capitol Street, Room 251  
Charleston, West Virginia 25301-3706

Dear Ms. Atkins:

We have reviewed the West Virginia State Plan Amendment (SPA) 13-001 received in the Philadelphia Regional Office on March 25, 2013. The State of West Virginia proposes to discontinue covering claims for dual eligible beneficiaries when prescribed barbiturates for the treatment of epilepsy, cancer or a chronic mental health disorder and benzodiazepines for all indications as Medicare Part D will provide this coverage effective January 1, 2013. Based on the information provided, we are pleased to inform you that SPA 13-001 is approved with an effective date of January 1, 2013.

A copy of the CMS-179 form, as well as the pages approved for incorporation into the state plan will be forwarded by the Philadelphia Regional Office. If you have any questions regarding this amendment, please contact Madlyn Kruh at (410) 786-3239.

Sincerely,

/ s /

Larry Reed  
Director  
Division of Pharmacy

cc: Francis McCullough, ARA, Philadelphia Regional Office  
Margaret Kosherzenko, Philadelphia Regional Office