

Insights

Indiana Responds to COVID with Changes to Prior Authorization and Telemedicine

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On March 26, 2020 Indiana's Governor Holcomb issued Executive Order 20-12, pursuant to his authority under Indiana's Emergency Management and Disaster Law (IC 10-14-3), authorizing important changes to the Medicaid prior authorization and telemedicine requirements for Indiana providers. Note, the Executive Order and its authorized changes are only in effect for the duration of the COVID-19 public health emergency.

Medicaid Prior Authorization

Executive Order 20-12 suspends the provisions of Ind. Code 12-15-35-28 (regarding the preferred drug list) and 12-15-35.5-7.5 (regarding methadone reimbursement) and authorizes the Indiana Family and Social Services Administration ("FSSA") to waive prior authorization requirements under the Indiana Medicaid program. Consistent with this authority under the Executive Order, Indiana Medicaid's §1135 waiver (approved on March 25, 2020) authorizes FSSA to temporarily suspend Medicaid fee-for-service prior authorization requirements and extend pre-existing authorizations – allowing services approved to be provided on or after March 1, 2020, to continue to be provided without a requirement for a new or renewed prior authorization, through the termination of the public health emergency. Guidance from FSSA operationalizing the Executive Order and waivers will likely be forthcoming.

Refills

To further limit in-person visits to physicians for prescription refills, for non-controlled substances prescribed as maintenance meds, the Executive Order suspends the restriction on a refill being limited to no more than the quantity on the most recent refill or 30-day supply (whichever is less), permitting a one-time 90-day emergency refill.

Providers that wish to prescribe controlled substances via telemedicine should also review the most recent DEA announcement loosening prescribing requirements during the public health emergency, which can be found here: <https://www.deadiversion.usdoj.gov/coronavirus.html>.

For any questions about these prior authorization or telemedicine changes, please contact Meghan M. Linvill McNab or Stephanie T. Eckerle.