

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 54.1-2910.3:1, relating to*
3 *Medicaid recipients; treatment involving opioids; payment.*

4 [S 1167]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That the Code of Virginia is amended by adding a section numbered 54.1-2910.3:1 as follows:**8 **§ 54.1-2910.3:1. Medicaid recipients; treatment involving prescription of opioids; payment.**

9 *A. No provider licensed pursuant to this chapter shall request or require a patient who is a recipient*
10 *of medical assistance services pursuant to the state plan for medical assistance and who is a recipient*
11 *of health care services involving (i) the prescription of an opioid for the management of pain or (ii) the*
12 *prescription of buprenorphine-containing products, methadone, or other opioid replacements approved*
13 *for the treatment of opioid addiction by the U.S. Food and Drug Administration for medication-assisted*
14 *treatment of opioid addiction to pay costs associated with the provision of such service out-of-pocket.*
15 *The prohibition on payment of costs shall not apply to a recipient's cost-sharing amounts required by*
16 *the state plan for medical assistance.*

17 *B. Every provider who does not accept payment from the Department of Medical Assistance Services*
18 *for health care services who intends to provide health care services described in subsection A to a*
19 *patient who is a recipient of medical assistance services pursuant to the state plan for medical*
20 *assistance shall, prior to providing such health care services, provide written notice to such patient that*
21 *(i) the Commonwealth's program of medical assistance services covers the health care services*
22 *described in subsection A and the Department of Medical Assistance Services will pay for such health*
23 *care services if such health care services are determined to meet the Department of Medical Assistance*
24 *Service's medical necessity criteria and (ii) the provider does not participate in the Commonwealth's*
25 *program of medical assistance and will not accept payment from the Department of Medical Assistance*
26 *Services for such health care services. Such notice and the patient's acknowledgment of such notice*
27 *shall be documented in the patient's medical record.*

ENROLLED

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