

# ASSEMBLY, No. 4744

## STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED DECEMBER 3, 2018

**Sponsored by:**

**Assemblyman LOUIS D. GREENWALD**

**District 6 (Burlington and Camden)**

**Assemblyman JOHN ARMATO**

**District 2 (Atlantic)**

**Assemblywoman VALERIE VAINIERI HUTTLE**

**District 37 (Bergen)**

**Co-Sponsored by:**

**Assemblyman A.M.Bucco, Assemblywomen Downey, Swain, Assemblymen  
Karabinchak, Chiaravalloti and Assemblywoman Pinkin**

**SYNOPSIS**

Requires DHS to ensure medication assisted treatment benefits under Medicaid program are provided without the imposition of prior authorization requirements.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 2/1/2019)**

1 AN ACT concerning medication assisted treatment for substance use  
2 disorders and supplementing P.L.1968, c.413 (C.30:4D-1 et  
3 seq.).

4  
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6 *of New Jersey:*

7  
8 1. a. Notwithstanding any State law or regulation to the  
9 contrary, the Department of Human Services shall ensure that the  
10 provision of benefits for medication assisted treatment to eligible  
11 persons under the Medicaid program, established pursuant to  
12 P.L.1968, c.413 (C.30:4D-1 et seq.), shall be provided without the  
13 imposition of any prior authorization requirements or other  
14 prospective utilization management requirements, provided that the  
15 treatment is prescribed by a licensed medical practitioner who is  
16 authorized to prescribe methadone, buprenorphine, and naltrexone  
17 and provided by a licensed health care professional or a licensed or  
18 certified substance use disorder provider in a licensed or otherwise  
19 State-approved facility, as required by the laws of the state in which  
20 the treatment is rendered.

21 b. As used in this Act:

22 "Medication assisted treatment" means the use of methadone,  
23 buprenorphine, and naltrexone to provide a comprehensive  
24 approach to the treatment of substance use disorders.

25 "Substance use disorder" is as defined by the American  
26 Psychiatric Association in the Diagnostic and Statistical Manual of  
27 Mental Disorders, Fifth Edition and any subsequent editions and  
28 shall include substance use withdrawal.

29  
30 2. The Commissioner of Human Services shall apply for such  
31 State plan amendments or waivers as may be necessary to  
32 implement the provisions of this act and to secure federal financial  
33 participation for State Medicaid expenditures under the federal  
34 Medicaid program.

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36 3. The Commissioner of Human Services, pursuant to the  
37 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-  
38 1 et seq.), shall adopt rules and regulations necessary to implement  
39 the provisions of this act.

40  
41 4. This act shall take effect on the 90<sup>th</sup> day next after  
42 enactment.

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45 STATEMENT

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47 This bill requires the Department of Human Services to ensure that  
48 the provision of benefits for medication assisted treatment to eligible  
49 persons under the Medicaid program, established pursuant to

1 P.L.1968, c.413 (C.30:4D-1 et seq.), are provided without the  
2 imposition of any prior authorization requirements or other prospective  
3 utilization management requirements, provided that the treatment is  
4 prescribed by a licensed medical practitioner who is authorized to  
5 prescribe methadone, buprenorphine, and naltrexone and provided by a  
6 licensed health care professional or a licensed or certified substance  
7 use disorder provider in a licensed or otherwise State-approved  
8 facility, as required by the laws of the state in which the treatment is  
9 rendered.

10 As defined in the bill, “medication assisted treatment” means the  
11 use of methadone, buprenorphine, and naltrexone to provide a  
12 comprehensive approach to the treatment of substance use  
13 disorders. The bill defines “substance use disorder” as defined in  
14 the American Psychiatric Association in the Diagnostic and  
15 Statistical Manual of Mental Disorders, Fifth Edition and any  
16 subsequent editions and shall include substance use withdrawal.

17 The science of addiction medicine is increasingly finding that  
18 substance use disorders can be most effectively treated with  
19 medication assisted treatment. As indicated in the bill, some of the  
20 medications used in such treatments include methadone,  
21 buprenorphine, and naltrexone. Generally, methadone and  
22 buprenorphine are used to lessen withdrawal symptoms from  
23 opioids, while naltrexone prevents the effects of any opioids taken  
24 during the withdrawal period. Requiring prior preauthorization to  
25 administer these drugs, however, may delay treatment for several  
26 days, thereby potentially missing the opportunity to intervene with  
27 patients struggling with addiction. This bill aims to remove such an  
28 access barrier to the treatment of opioid dependency for Medicaid  
29 recipients.