

Coverage Changes for Opioid Treatment Services for Dually Eligible Individuals

As of January 1, 2020, Medicare Part B covers a new Opioid Treatment Program (OTP) benefit. In the 2018 Substance Use Disorder Prevention that Promotes Opioid Recovery and Treatment (SUPPORT) for Patients and Communities Act, Congress expanded access to opioid use disorder (OUD) treatment services and authorized creation of the OTP benefit, which provides Medicare beneficiaries with access to methadone for medication-assisted treatment (MAT) in an out-patient setting. This fact sheet describes the new OTP benefit and how it affects individuals dually eligible for Medicare and Medicaid.

What is the new Opioid Treatment Program benefit?

Under the new benefit, Medicare pays OTP providers a bundled payment for OUD treatment services for people with Medicare Part B. A [new Medicare payment rule](#) finalized last November outlines the bundled payment, which includes the following OUD treatment services delivered by a certified OTP provider:

- U.S. Food and Drug Administration (FDA)-approved opioid agonist and antagonist MAT medications (including methadone), dispensing, and administration
- Substance use counseling
- Individual and group therapy
- Toxicology testing
- Intake activities
- Periodic assessments

Individuals enrolled in Original Medicare do not pay coinsurance for the new OTP benefit, meaning they have no cost-sharing for these services once they have met their Part B deductible (\$198 in 2020). While Medicare Advantage (MA) plans are permitted to charge cost-sharing for the OTP benefit, Qualified Medicare Beneficiaries (QMBs) are exempt and protected by federal rules from improper billing for Medicare cost-sharing, including deductibles.

How Does This Change Coverage of Opioid Treatment for Dually Eligible Individuals?

For individuals dually eligible for Medicare and Medicaid, this new OTP benefit means that Medicare is now the primary payer for these OUD treatment services. The Centers for Medicare & Medicaid Services (CMS) has issued guidance to OTP providers, MA plans and states to help ensure that dually eligible individuals who are currently receiving these OUD treatment services do not experience interruptions in care.

One primary concern is delays in OTPs that are serving Medicaid beneficiaries completing the Medicare provider enrollment process. [CMS's guidance to states](#) includes information on how state Medicaid programs can continue to pay for OUD treatment services delivered by OTP providers that are not yet enrolled in Medicare.

Similarly, [CMS has advised Medicare Advantage plans](#) to create processes to allow dually eligible beneficiaries to continue seeing their current OTP provider, even if that provider is not in the plan's network, while assisting the individual with transitioning to an in-network provider. The guidance also reminds plans about their obligations to protect Qualified Medicare Beneficiaries from improper billing for Medicare cost-sharing.

Advocates working with dually eligible individuals or other Medicare beneficiaries receiving or in need of OUD treatment services should become familiar with these changes to help clients navigate and identify any issues. For example:

- OTP providers and MA plans are prohibited from billing Qualified Medicare Beneficiaries (QMBs) for Medicare cost-sharing for OTP services. In addition, all people enrolled in Original Medicare should not pay any cost-sharing for OTP services once they have met their Part B deductible.
- States, MA plans, and providers should be following guidance to ensure continuity of care for dually eligible beneficiaries who are currently receiving OTP services.
- State Medicaid programs cannot exclude or deny coverage of transportation (NEMT) for dually eligible individuals to Medicare-covered benefits, including OTP services.

Please [let us know](#) if you observe any issues with these changes in Medicare coverage of OUD treatment services. Your feedback helps us identify systemic issues and work with CMS to resolve them.

Additional Resources

Centers for Medicare & Medicaid Services

- [Opioid Treatment Programs \(OTP\)](#)
- [Tip Sheet for Opioid Treatment Program Providers Serving Dually Eligible Individuals](#)
- [Guidance to State Medicaid Agencies on Dually Eligible Beneficiaries Receiving Medicare Opioid Treatment Services Effective January 1, 2020](#)
- [CORRECTED - Addressing Continuity of Care for Dually Eligible Enrollees Currently Receiving Opioid Treatment Program Services through Medicaid](#)

Medicare Rights Center

- [Medicare Interactive - Treatment for alcoholism and substance use disorder](#)