

# Delaware Senate Bill (SB) 109

## Provider Frequently Asked Questions

In collaboration with the state of Delaware, AmeriHealth Caritas Delaware abides by SB 109, amending 18 Del.C. §§ 3343 and 3578 and 31 Del.C. §524, to increase access and decrease barriers to needed substance use treatments. SB 109 clarifies that all Delaware substance use providers and Medicaid health plans must use the American Society of Addiction Medicine (ASAM) criteria when determining whether placement, continued stay, or transfer or discharge of patients with a substance use disorder in treatment programs is medically necessary. Additionally, this bill aligns protections relating to services, specifying five days of treatment in detoxification centers (detox), 14 days of intensive inpatient treatment, and 30 days of treatment in an intensive outpatient program (IOP).

### What are ASAM criteria?

ASAM criteria are a comprehensive set of guidelines for placement, continued stay, and transfer or discharge of patients with substance use disorders, as established by ASAM for use in determining medically necessary treatment.

### What types of services does the State of Delaware require be covered under this bill?

AmeriHealth Caritas Delaware shall provide coverage for serious mental illnesses and drug and alcohol dependencies. Coverage for serious mental illnesses and drug and alcohol dependencies includes:

- Medically monitored inpatient withdrawal management (detox, ASAM 3.7 — WM).
- Medically monitored intensive inpatient treatment (ASAM 3.7).
- Intensive outpatient treatment (ASAM 2.1).

### Will this coverage require utilization review?

To facilitate member treatment, providers must notify AmeriHealth Caritas Delaware within 48 hours of a member's admission. At that time, the member's diagnosis and treatment plan must be provided. AmeriHealth Caritas Delaware will send notification allowing claims to be processed for treatment. Utilization review will be completed for all services provided during inpatient treatment and intensive outpatient treatment, following the first five days of inpatient withdrawal management, 14 days of inpatient treatment, or 30 days of IOP treatment. AmeriHealth Caritas Delaware may deny coverage for any portion of the treatment (including the first five days of inpatient withdrawal management, 14 days of inpatient treatment, or 30 days of IOP) if such treatment was not medically necessary as determined by ASAM's evidence-based and peer-reviewed clinical review tool used by AmeriHealth Caritas Delaware.

Providers may choose to obtain prior authorization for the aforementioned services. If you do not, these services will be subject to a retrospective medical necessity review.

### Will this coverage pose any additional financial burden for our patients?

AmeriHealth Caritas Delaware members are not financially obligated to the facility for any treatment other than for any copayment, coinsurance, or deductible otherwise required by AmeriHealth Caritas Delaware.