

**DEPARTMENT OF SOCIAL AND HEALTH SERVICES  
HEALTH AND RECOVERY SERVICES ADMINISTRATION  
Olympia, Washington**

**To:** All Prescribers  
Managed Care Organizations  
Nursing Facility Administrators  
Pharmacists  
Regional Support Networks

**# Memo: 09-58**  
**Issued: July 30, 2009**

**From:** Douglas Porter, Assistant Secretary  
Health and Recovery Services  
Administration

**For further information, go to:**  
<http://hrsa.dshs.wa.gov/pharmacy>

**Subject: Prescription Drug Program: Restriction on Coverage of OTC Drugs and Drugs that Treat Cough and Colds and Revision to the Current Narcotic Review Program**

**Effective for dates of service on and after September 1, 2009**, the Department of Social & Health Services (DSHS) will:

- Restrict coverage of over-the-counter drugs;
- Restrict coverage of drugs to treat cough and colds; and
- Revise the current Narcotic Review Program.

### **Covered Over-the-Counter Drug List**

**Effective for dates of service on and after September 1, 2009**, DSHS will restrict coverage of over-the-counter (OTC) drugs to those listed on the “Covered Over-the-Counter Drug List.” DSHS has reviewed and determined that the OTC drugs on this list are the least costly therapeutic alternatives for medically accepted indications. [Refer to WAC 388-530-2000(1)(d).] You may access this list on the DSHS/HRSA website at: <http://hrsa.dshs.wa.gov/pharmacy/>.

**Note:** OTC family planning products and OTC drugs used to treat cough and colds (see next page) are governed under different rules and have their own coverage lists on the DSHS/HRSA website at: <http://hrsa.dshs.wa.gov/pharmacy/>. OTC drugs not included on any DSHS Covered Drug List are noncovered and may be billed directly to the client as a nonprescribed OTC.

**Effective September 1, 2009**, DSHS will deny prior authorization (PA) requests for any OTC drugs not listed on the “Covered Over-the-Counter Drug List.”

## Covered Cough/Cold Product List

Effective for dates of service on and after September 1, 2009, DSHS will restrict coverage of drugs used to treat cough and colds to those drugs listed on the “Covered Cough/Cold Product List.” DSHS bases its decision on which drugs to place on this list using evidence of efficacy and safety and current best practices. The “Covered Cough/Cold Product List” can be found at: <http://hrsa.dshs.wa.gov/pharmacy/>.

### Covered Cough/Cold Product List

- Guaifenesin 100mg/5ml liquid/syrup\*
- Dextromethorphan 15mg/5ml liquid/syrup\*
- Dextromethorphan-guaifenesin 10-100 mg/5 ml syrup\* (including sugar –free formulations)
- Pseudoephedrine 30mg tablet\*
- Pseudoephedrine 60mg tablet\*
- Saline Nasal Spray 0.65%\*

\*generic products only

Effective September 1, 2009, DSHS will deny prior authorization (PA) requests for any drugs prescribed for the treatment of cough and cold symptoms not listed on the “Covered Cough/Cold Product List.” OTC drugs used to treat cough and colds which are not on the “Covered Cough/Cold Product List” are noncovered and may be billed directly to the client as a nonprescribed OTC. *Prescription drugs* used to treat cough and colds which are not on the “Covered Cough/Cold Product List” may be purchased by the client with a signed waiver per WAC 388-502-0160 (see page I.18 of the *Prescription Drug Program Billing Instructions*).

Please see the next page for details on a client’s right to request an Exception to Rule (ETR).

## **Clients' Right to Request Exception to Rule (ETR)**

The State Legislature has directed DSHS to reduce its expenditures in order to help balance the state budget. This means that certain services DSHS has provided in the past no longer will be available, or will only be available in a reduced amount. Because these coverage limitations apply to all medical assistance clients equally, there will be no continuation of the affected services **on and after September 1, 2009**, and clients do not have a right to an evidentiary hearing on the grounds of medical necessity.

However, providers may request an ETR<sup>1</sup> to request coverage for a noncovered service by contacting DSHS and providing the necessary information for the program to make a decision in each client's individual case. For detailed requirements regarding ETR requests for a noncovered product, please see WAC 388-501-0160 available online at: <http://apps.leg.wa.gov/WAC/default.aspx?cite=388-501-0160>.

## **Changes to the Narcotics Review Program**

### **Narcotic Review Program Plus**

**Effective September 1, 2009**, DSHS will introduce medical necessity evaluations into its current Narcotic Review Program. DSHS's clinical staff has identified approximately 300 clients recently receiving greater than 1000 Morphine Equivalent Dosage (MED) per day. Each time a prescriber writes an order for an opioid prescription for one of these clients, authorization will be required for the claim to be paid by DSHS.

When the dispensing pharmacy contacts DSHS for authorization, DSHS will send the prescriber a 12 month narcotic medication profile for review to determine if the prescription should be filled as originally written. If the prescriber indicates to DSHS that the prescription should be dispensed as originally written, authorization for the fill will be approved. The prescriber will then receive a form requesting more information on the client's diagnosis, pain intensity and level of function. DSHS will review the information provided to determine the medical necessity of future narcotic prescriptions for the client. Clients will be able to continue pain management as ordered by their prescriber during this evaluation process, and clients will be offered access to free assessments by chemical dependency specialists.

In cases requiring the expertise of a specialist, DSHS will work with the University of Washington, Centers for Pain Relief and Discovery to obtain a second opinion in regard to the client's pain management needs. Any consultation, office visit, or transportation required to complete the second opinion process will be covered by DSHS.

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**1 Exception to Rule (ETR):** The prior authorization process used by DSHS to consider the appropriateness of a noncovered item when that service is specifically needed for that client because their clinical needs are so different than the rest of the population.

## **How Can I Get DSHS/HRSA Provider Documents?**

To obtain DSHS/HRSA provider numbered memos and billing instructions, go to the DSHS/HRSA website at <http://hrsa.dshs.wa.gov> (click the *Billing Instructions and Numbered Memorandum* link). These documents may be downloaded and printed.