



THE STATE  
of **ALASKA**  
GOVERNOR SEAN PARNELL

Department of  
**Health and Social Services**

DIVISION OF HEALTH CARE SERVICES  
Director's Office

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January 28, 2013

Dear Tribal Health Leader,

On behalf of the Department of Health and Social Services (DHSS), I am writing to inform you of a proposed future Medicaid state plan amendment (SPA), in keeping with DHSS's responsibility to conduct tribal consultation.

**Excluded Drugs for Dual Eligible Recipients:** The Department intends to submit a SPA that would modify the current coverage of previously excluded outpatient drugs for recipients with both Medicaid and Medicare coverage. Section 175 of the Medicare Improvements for Patients and Providers Act (MIPPA) of 2008 amended section 1860D-2(e)(2)(A) of the Social Security Act to include coverage of barbiturates used in the treatment of epilepsy, cancer, or a chronic mental health disorder and benzodiazepines under the Medicare Part D prescription drug plans. Benzodiazepines and barbiturates had been covered by Alaska Medicaid for dual eligible recipients because these drug classes were previously excluded from coverage by the Medicare Part D. As of January 1, 2013, benzodiazepines and barbiturates used in the treatment of epilepsy, cancer, or a chronic mental health disorder will no longer be excluded from coverage by the Medicare part D prescription drug plans and coverage for these medications for dual eligible recipients will fall under the Medicare Part D drug program; state Medicaid programs are not allowed to cover prescriptions drugs for dual Medicare-Medicaid eligible recipients if the drug is covered by Medicare. We do not anticipate that this will impact access to these drugs by Alaska Natives and American Indians, although the source of coverage may change. There may be impacts to tribal providers because of the change in coverage source.

Please provide any written comments or questions regarding this State Plan Amendment within 30 days of the date of this letter to Gennifer Moreau, Alaska Department of Health and Social Services, 4501 Business Park BLVD, Building L, Anchorage, Alaska 99503 or [gennifer.moreau@alaska.gov](mailto:gennifer.moreau@alaska.gov). Please also feel free to call 907- 334-2653 if you would like to arrange a meeting or discuss this upcoming State Plan Amendment.

Sincerely,  
Gennifer Moreau  
Medicaid State Plan Coordinator

Cc: William J. Streur, Commissioner

Tribal Consultation – Pharmacy SPA

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Renee Gayhart, Tribal Programs