NEW YORK
state department of
HEALTH

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Clarification on Medicaid Fee-for- Service (FFS) Emergency Services Coverage

Coverage will **not** be extended for medications when the federal definition of an "emergency medical condition" is not met **regardless of where the prescription is being obtained (i.e. emergency department).** Drugs **not** included in "emergency services coverage" **will not change based on the type of facility at which a patient receives their prescription.**

Medicaid FFS does **not** reimburse all covered drugs for patients whose coverage is deemed as "emergency services only".

Medicaid coverage may be available for care and services that were necessary for the treatment of an "emergency medical condition". Per federal regulation the term emergency medical condition is defined as a medical condition (including emergency labor and delivery) manifesting itself by acute symptoms of sufficient severity (including severe pain) such that the absence of immediate medical attention could reasonably be expected to result in:

(a) placing the patient's health in serious jeopardy;
(b) serious impairment to bodily functions; or
(c) serious dysfunction of any bodily organ or part."

Patients whose drug coverage is limited may receive a pharmacy reason response of "Patient is Not Covered", for drugs that do not meet the definition of "emergency medical condition". Providers can then verify if a patient has coverage for "emergency services only", based on the reason response, by performing an eligibility request on ePACES; found under the eMedNY Tools Center at: https://www.emedny.org/index.aspx . The Eligibility Response for these patients will return, "emergency services only".

Provided below is a link to the Department of Health's MRT webpage where you can access background information and communication about this initiative and a list of emergency services covered drugs (scroll to the bottom of the page).

http://www.health.ny.gov/health_care/medicaid/redesign/supplemental_info_mrt_proposals.htm

Please note-

- Short acting narcotics should only be written for **an emergency 5 day supply.**
- HIV prophylaxis therapy following occupational exposure & non occupational exposure (sexual assault) can be obtained via an exception process by following the procedure below.

Override Requests: Exception/override requests require a letter of medical necessity, providing rationale as to why this request meets the federal definition of an emergency medical condition as described above for the following medication(s). Please title request "emergency services only," and send to the ppno@health.state.ny.us mailbox or fax in to 518-473-5508, for review by a Medical Director.

For questions on this policy providers may e-mail the pharmacy mailbox at: ppno@health.state.ny.us, or call (518) 486-3209. For questions on performing eligibility request on ePACES, providers may contact Computer Sciences Corporation at (800)-343-9000.