



CMS: Stop Approving Medicaid Waivers to Drop Non-Emergency Transportation!

Substance Use Disorder Treatment Requires Frequent Access to Care

In October, the Trump Administration declared the opioid crisis a Public Health Emergency and [directed](#) the Secretary of Health and Human Services to reduce the number of overdose deaths and increase treatment for opioid addiction. Following this directive, CMS issued a November [letter](#) to State Medicaid Directors' announcing a new direction for CMS' work with states on 1115(a) demonstrations to improve access to treatment for Medicaid beneficiaries. If CMS' goal is improving access to substance use disorder treatment services, the agency should stop approving waivers that drop the Medicaid non-emergency medical transportation (NEMT) benefit.

Lack of non-emergency transportation is a major barrier for chronically ill Medicaid beneficiaries that need recurring access to treatment. The Medicaid non-emergency medical transportation benefit removes this barrier by providing the least costly and appropriate method of transportation, including taxis, vans and public transit for beneficiaries not able to get to and from their medically necessary appointments. About one-third¹ of all Medicaid NEMT trips are for regularly scheduled trips to facilities providing treatment for behavioral health services (including mental health services and substance abuse treatment).

In their letter to Medicaid Directors, CMS encouraged States to submit 1115 demonstration proposals to allow Medicaid to cover evidence-based treatment guidelines for opioid abuse disorder including intensive outpatient, medication assisted treatment, and medically supervised withdrawal treatment. These services require hours of treatment per week and frequent trips to a provider. For instance, intensive outpatient programs [require](#) 9-19 hours of weekly structured programming for adults or 6-19 hours for adolescents with initial treatment being 5 days per week².

In 2014, studies estimated that 1.2 million uninsured adults made newly eligible for Medicaid under the Affordable Care Act would have substance abuse disorders³. However, the Obama Administration approved three State waivers of NEMT⁴ for the Medicaid expansion population, beginning with Iowa in 2013 as well as Indiana and Pennsylvania. Iowa's [evaluation](#) of the impact of eliminating NEMT, published in March 2016, found many beneficiaries, especially the chronically ill, are unable to access care without a

¹ <http://web1.ctaa.org/webmodules/webarticles/articlefiles/NEMTreportfinal.pdf>

² <https://www.ncbi.nlm.nih.gov/books/NBK64094/>

³ Pugh, Tony. "Medicaid expansion is expected to strain mental health services." McClatchy Washington Bureau. 2/13/2014. www.sacbee.com/2014/02/13/6151677/medicaid-expansion-is-expected.html. Article estimates are compiled from Substance Abuse and Mental Health Services Administration data in "National and State Estimates of the Prevalence of Behavioral Health Conditions Among the Uninsured." July 2013. <http://store.samhsa.gov/product/National-and-State-Estimates-of-the-Prevalence-of-Behavioral-HealthConditions-Among-the-Uninsured/PEP13-BHPREV-ACA>

⁴ Pennsylvania's NEMT waiver was reversed after the current Democratic Governor was elected in 2015.



transportation benefit. This evaluation found individuals reporting fair/poor mental health were 37% more likely to experience an unmet need for NEMT compared to those reporting good/excellent mental health. In 2015, Virginia expanded Medicaid for individuals with serious mental illness and provides a limited benefit package that does not include transportation. In their evaluation, Virginia's Department of Medical Assistance Services (DMAS) found "not having transportation...negatively impacts members' ability to access SUD treatment" and "that transportation is key to accessing services and is a major factor in influencing members to maintain appointment compliance and filling prescriptions."⁵

Kentucky and Massachusetts have pending requests with the Trump Administration to waive NEMT for their Medicaid expansion population. Massachusetts, however, would exempt NEMT trips to substance use disorder services, recognizing NEMT as a necessary service for this population. Thus far, the Trump Administration has not approved waivers of NEMT for the Medicaid expansion population but signaled their intention to do so in a March [letter](#) to governors. If CMS approves waivers to drop the NEMT benefit, the agency will undermine its efforts to reduce deaths from opioid overdoses by limiting access to critical treatment for those most in need.

⁵ <https://www.medicaid.gov/Medicaid-CHIP-Program-Information/By-Topics/Waivers/1115/downloads/va/Governors-Access-Plan-GAP/va-gov-access-plan-year1-eval-rpt-062716.pdf>