

# DEPARTMENT OF HEALTH & SOCIAL SERVICES



## PROPOSED CHANGES TO REGULATIONS

### MEDICAID VACCINE COVERAGE & PAYMENT

- 7 AAC 110. Medicaid Coverage; Professional Services.
- 7 AAC 120. Medicaid Coverage; Prescription Drugs and Medical Supplies; Durable Medical Equipment; Transportation Services.
- 7 AAC 145. Medicaid Payment Rates.



**PUBLIC REVIEW DRAFT**  
**July 22, 2020**

**COMMENT PERIOD ENDS: September 4, 2020.**

**Please see the public notice for details about how to  
comment on these proposed changes.**

**Notes to reader:**

1. Except as discussed in note 2, new text that amends an existing regulation is **bolded and underlined**.
2. If the lead-in line above the text of each section of the regulations states that a new section, subsection, paragraph, or subparagraph is being added, or that an existing section, subsection, paragraph, or subparagraph is being repealed and readopted (replaced), *the new or replaced text is not bolded or underlined*.
3. [ALL-CAPS TEXT WITHIN BRACKETS] indicates text that is to be deleted.
4. When the word “including” is used, Alaska Statutes provide that it means “including, but not limited to.”
5. Only the text that is being changed within a section of the current regulations is included in this draft. Refer to the text of that whole section, published in the current Alaska Administrative Code, to determine how a proposed change relates within the context of the whole section and the whole chapter.

**Title 7 Health and Social Services.  
Chapter 110. Medicaid Coverage; Professional Services.**

**Article 1. Advanced Nurse Practitioner Services**

7 AAC 110.105(a)(1)(B) is amended to read:

(B) **vaccine products and administration, in accordance with 7 AAC**

**110.750** [IMMUNIZATIONS TO A RECIPIENT

(i) UNDER 21 YEARS OF AGE;

(ii) 21 YEARS OF AGE OR OLDER, IN ACCORDANCE WITH

7 AAC 110.405(b)(2)];

(Eff. 2/1/2010, Register 193; am\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_, Register\_\_\_\_)

**Authority:** AS 47.05.010 AS 47.07.030 AS 47.07.040

**7 AAC 110.405. Physician services coverage and limitations.**

7 AAC 110.405(b) is repealed:

(b) Repealed \_\_\_\_/\_\_\_\_/\_\_\_\_\_. (Eff. 2/1/2010, Register 193; am 6/13/2010, Register 194;

am 8/25/2010, Register 195; am 5/1/2016, Register 218; am\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_, Register\_\_\_\_)

**Authority:** AS 47.05.010

AS 47.07.030

AS 47.07.040

7 AAC 110 is amended by adding a new article to read:

**Article 17. Vaccine Services (7 AAC 110.750)**

7 AAC 110 is amended by adding a new section to read:

**7 AAC 110.750. Vaccine Services.**

(a) To be a covered vaccine, a vaccine must be one

(1) for which the United States Food and Drug Administration (FDA) requires a national drug code (NDC) number; and

(2) that is listed electronically with the FDA.

(b) The department will pay for the following vaccine services administered by a physician, advanced practice registered nurse, physician assistant, or pharmacist:

(1) a vaccine product for a recipient under 21 years of age, if the product is not available at no cost to the provider;

(2) the administration of a vaccine product to a recipient under 21 years of age;

(3) the following vaccine products, if not available at no cost to the provider, and the administration of the following vaccine products, for a recipient 21 years of age or older:

(A) Hepatitis A;

(B) Hepatitis B;

(C) Herpes Zoster (Shingles);

(D) Human Papillomavirus;

(E) Measles, Mumps, and Rubella (MMR);

(F) Meningococcal;

(G) Pneumococcal;

(H) seasonal Influenza;

(I) Tetanus Diphtheria (Td);

(J) Tetanus, Diphtheria and Acellular Pertussis (Tdap);

(K) Varicella (Chickenpox);

(L) Haemophilus Influenzae Type B;

(M) post-exposure rabies vaccine or immune globulin;

(N) pandemic influenza;

(O) a vaccine, and administration of a vaccine, related to a federal or state-declared public health emergency.

(c) The department will not pay for the following vaccine services:

(1) vaccine products and administration for the sole purpose of international travel; and

(2) pre-exposure rabies vaccine product and administration.

(Eff. \_\_\_\_/\_\_\_\_/\_\_\_\_, Register\_\_\_\_)

**Authority:** AS 47.05.010 AS 47.07.030 AS 47.07.040

**Editor's note:** The National Drug Code Directory can be accessed on the United States Food and Drug Administration (FDA) website at <https://www.fda.gov/drugs/drug-approvals-and-databases/national-drug-code-directory> .

## **Chapter 120. Medicaid Coverage; Prescription Drugs and Medical Supplies; Durable Medical Equipment; Transportation Services.**

### **Article 1. Prescription Drugs and Medical Supplies.**

**7 AAC 120.110. Covered outpatient drugs and home infusion therapy.**

7 AAC 120.110(d) is amended to read:

(d) The department will pay for vaccine **product and** administration **in accordance with 7 AAC 110.750** if provided to a recipient [UNDER 21 YEARS OF AGE] by a **registered** pharmacist **acting within state scope of practice authority** [WHOM THE BOARD OF PHARMACY HAS APPROVED TO EXERCISE COLLABORATIVE PRACTICE AUTHORITY UNDER 2 AAC 52.240. PAYMENT FOR RECIPIENTS 21 YEARS OF AGE OR OLDER IS SUBJECT TO 7 AAC 110.405(b)(2) AND (3)].

(Eff. 2/1/2010, Register 193; am 6/13/2010, Register 194; am 7/7/2010, Register 195; am 1/1/2011, Register 196; am 9/7/2011, Register 199; am 1/4/2012, Register 201; am 5/18/2014, Register 210; am\_\_\_\_/\_\_\_\_/\_\_\_\_, Register\_\_\_\_)

**Authority:** AS 47.05.010 AS 47.07.030 AS 47.07.040

**Chapter 145. Medicaid Payment Rates.**

7 AAC 145 is amended by adding a new section to read:

**7 AAC 145.275 Vaccine services payment rates.** The department will pay for

(a) vaccine product that is covered under 7 AAC 110.750 at the lesser of

- (1) billed charges;
- (2) the Medicare Part B Upper Payment Limit, if established; or
- (3) the wholesale acquisition cost plus one-percent;

(b) administration of a vaccine product that is covered under 7 AAC 110.750, by a:

- (1) physician at the rate established in 7 AAC 145.200(a) or (b);

(2) advanced practice registered nurse, at the rate established in 7 AAC

145.100(a) or (b);

(3) physician assistant, at the rate established in 7 AAC 145.200(f) or (g); or

(4) pharmacist, at 85 percent of the rate established in 7 AAC 145.050.

(Eff. \_\_\_\_/\_\_\_\_/\_\_\_\_; Register\_\_\_\_).

**Authority:** AS 47.05.010 AS 47.07.030 AS 47.07.040

### **Chapter 145. Medicaid Payment Rates.**

#### **7 AAC 145.400. Covered outpatient drug payment rates and home infusion therapy drug rates.**

7 AAC 145.400(f) is repealed and readopted to read:

(f) The department will pay for a vaccine product at the rate established in 7 AAC

145.275(a).

(Eff. 2/1/2010, Register 193; am 1/1/2011, Register 196; am 5/18/2014, Register 210;

am\_\_\_\_/\_\_\_\_/\_\_\_\_, Register\_\_\_\_)

**Authority:** AS 47.05.010 AS 47.07.030 AS 47.07.040

#### **7 AAC 145.410. Dispensing fee.**

7 AAC 145.410(f) is repealed and readopted to read:

(f) The department will pay for the administration of a vaccine product covered under 7

AAC 110.750 at the rate established in 7 AAC 145.275(b).

(Eff. 2/1/2010, Register 193; am 1/1/2011, Register 196; am 9/7/2011, Register 199; am 1/4/2012, Register 201; am 5/18/2014, Register 210; am 6/16/2016, Register 218;

am\_\_\_\_/\_\_\_\_/\_\_\_\_, Register\_\_\_\_)

**Authority:** AS 47.05.010

AS 47.07.030

AS 47.07.040