

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

FILED SENATE
Apr 6, 2023
S.B. 656
PRINCIPAL CLERK

S

D

SENATE BILL DRS35205-MR-76

Short Title: Foster BH IDD Tailored Plan Competition. (Public)

Sponsors: Senator Grafstein (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO FOSTER COMPETITION AMONG THE BH IDD TAILORED PLANS.

3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** No later than July 1, 2023, the Department of Health and Human
5 Services, Division of Health Benefits, shall submit to the Centers for Medicare and Medicaid
6 Services (CMS) any amendment to the 1115 waiver for Medicaid Transformation necessary to
7 obtain approval to effectuate the following changes related to BH IDD Tailored Plans:

8 (1) Beneficiaries may opt to remain in the Medicaid fee-for-service program,
9 known as Medicaid Direct, for physical healthcare services when any of the
10 beneficiary's healthcare providers are not contracted with the LME/MCO
11 Tailored Plan network, if staying in Medicaid Direct is necessary as a
12 reasonable accommodation of the beneficiary's need for continuity of care.

13 (2) Based on differing service arrays, available services, or provider networks,
14 beneficiaries may opt into a BH IDD tailored plan that is operating outside of
15 the region in which the beneficiary resides.

16 **SECTION 2.** No later than August 1, 2023, the Department of Health and Human
17 Services, Division of Health Benefits, shall report to the Joint Legislative Oversight Committee
18 on Medicaid with recommendations for promoting competition among local management
19 entities/managed care organizations in such a way that fosters innovation and leads to better care
20 for Medicaid beneficiaries. The report shall also contain a copy of all State Plan amendments or
21 other documents submitted to CMS in accordance with Section 1 of this act. The report shall also
22 contain all identified legislative changes needed to conform with the requirements of Section 1
23 of this act and other recommendations made in the report.

24 **SECTION 3.** This act is effective when it becomes law.



* D R S 3 5 2 0 5 - M R - 7 6 *