

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 54.1-2910.3:1 of the Code of Virginia, relating to Medicaid participants;*  
3 *treatment involving prescription of opioids; payment.*

4  
5 Approved

[S 594]

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That § 54.1-2910.3:1 of the Code of Virginia is amended and reenacted as follows:**

8 **§ 54.1-2910.3:1. Medicaid recipients; treatment involving prescription of opioids; payment.**

9 A. No provider licensed pursuant to this chapter, *regardless of whether the provider participates in*  
10 *the state plan for medical assistance*, shall request or require a patient who is a recipient of medical  
11 assistance services pursuant to the state plan for medical assistance and who is a recipient of health care  
12 services involving (i) the prescription of an opioid for the management of pain or (ii) the prescription of  
13 buprenorphine-containing products, methadone, or other opioid replacements approved for the treatment  
14 of opioid addiction by the U.S. Food and Drug Administration for medication-assisted treatment of  
15 opioid addiction to pay costs associated with the provision of such service out-of-pocket. The prohibition  
16 on payment of costs shall not apply to a recipient's cost-sharing amounts required by the state plan for  
17 medical assistance.

18 B. Every provider who does not accept payment from the Department of Medical Assistance Services  
19 for health care services who intends to provide health care services described in subsection A to a  
20 patient who is a recipient of medical assistance services pursuant to the state plan for medical assistance  
21 shall, prior to providing such health care services, provide written notice to such patient that (i) the  
22 Commonwealth's program of medical assistance services covers the health care services described in  
23 subsection A and the Department of Medical Assistance Services will pay for such health care services  
24 if such health care services are determined to meet the Department of Medical Assistance Service's  
25 medical necessity criteria and (ii) the provider does not participate in the Commonwealth's program of  
26 medical assistance and will not accept payment from the Department of Medical Assistance Services for  
27 such health care services. Such notice and the patient's acknowledgment of such notice shall be  
28 documented in the patient's medical record *and does not exempt the provider from the requirements of*  
29 *subsection A.*

ENROLLED

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