

Document: Final Rule, **Register Page Number:** 29 IR 1903

Source: March 1, 2006, Indiana Register, Volume 29, Number 6

Disclaimer: This document was created from the files used to produce the official CD-ROM Indiana Register.

**TITLE 405 OFFICE OF THE SECRETARY OF
FAMILY AND SOCIAL SERVICES**

LSA Document #05-220(F)

DIGEST

Amends 405 IAC 5-3-13 to allow for reimbursement for genetic testing for detection of cancer of the breast or breasts or ovaries.
Amends 405 IAC 5-5-1 to allow for reimbursement for diagnostic services, including genetic testing, when provided out-of-state.
Effective 30 days after filing with the Secretary of State.

405 IAC 5-3-13

405 IAC 5-5-1

SECTION 1. 405 IAC 5-3-13, AS AMENDED AT 28 IR 2132, SECTION 4, IS AMENDED TO READ AS FOLLOWS:

405 IAC 5-3-13 Services requiring prior authorization

Authority: IC 12-8-6-3; IC 12-8-6-5; IC 12-15-1-10; IC 12-15-21-2; IC 12-15-21-3

Affected: IC 12-13-7-3; IC 12-15

Sec. 13. (a) Medicaid reimbursement is available for the following services with prior authorization:

- (1) Reduction mammoplasties.
- (2) Rhinoplasty or bridge repair of the nose when related to a significant obstructive breathing problem.
- (3) Intersex surgery.
- (4) Blepharoplasties for a significant obstructive vision problem.
- (5) Sliding mandibular osteotomies for prognathism or micrognathism.
- (6) Reconstructive or plastic surgery.
- (7) Bone marrow or stem cell transplants.
- (8) All organ transplants covered by the Medicaid program.
- (9) Home health services.
- (10) Maxillofacial surgeries related to diseases and conditions of the jaws and contiguous structures.
- (11) Temporomandibular joint surgery.
- (12) Submucous resection of nasal septum and septoplasty when associated with significant obstruction.
- (13) Weight reduction surgery, including gastropasty and related gastrointestinal surgery.
- (14) Any procedure ordinarily rendered on an outpatient basis, when rendered on an inpatient basis.
- (15) All dental admissions.
- (16) Brand medically necessary drugs.
- (17) Other drugs as specified in accordance with 405 IAC 5-24-8.5.
- (18) Psychiatric inpatient admissions, including admissions for substance abuse.
- (19) Rehabilitation inpatient admissions.
- (20) Assertive community treatment intensive case management as provided under 405 IAC 5-21-1.
- (21) Orthodontic procedures for members under twenty-one (21) years of age for cases of craniofacial deformity or cleft palate.
- (22) Genetic testing for detection of cancer of the breast or breasts or ovaries.**
- ~~(22)~~ **(23)** As otherwise specified in this article.

If any of the surgeries listed in this section are performed during a hospital stay for another condition, prior authorization is required for the surgical procedure.

(b) Requests for prior authorization for the surgical procedures in this section will be reviewed for medical necessity on a case-by-case basis in accordance with this rule. (*Office of the Secretary of Family and Social Services; 405 IAC 5-3-13; filed Jul 25, 1997, 4:00 p.m.: 20 IR 3306; filed Sep 1, 2000, 2:16 p.m.: 24 IR 14; readopted filed Jun 27, 2001, 9:40 a.m.: 24 IR 3822; filed Jan 7, 2002, 10:11 a.m.: 25 IR 1613; filed Feb 26, 2004, 3:45 p.m.: 27 IR 2244; filed Feb 14, 2005, 10:25 a.m.: 28 IR 2132; filed Feb 3, 2006,*

2:00 p.m.: 29 IR 1903)

SECTION 2. 405 IAC 5-5-1 IS AMENDED TO READ AS FOLLOWS:

405 IAC 5-5-1 Out-of-state services; general

Authority: IC 12-8-6-5; IC 12-15-1-10; IC 12-15-1-15; IC 12-15-21-2; IC 12-15-21-3

Affected: IC 12-13-7-3; IC 12-15

Sec. 1. Medicaid reimbursement is available for the following services provided outside Indiana:

- (1) Acute general hospital care.
- (2) Physician services.
- (3) Dental services.
- (4) Pharmacy services.
- (5) Transportation services.
- (6) Therapy services.
- (7) Podiatry services.
- (8) Chiropractic services.
- (9) Durable medical equipment and supplies.
- (10) Hospice services, subject to the conditions in 405 IAC 5-34-3.

(11) Diagnostic services, including genetic testing.

(Office of the Secretary of Family and Social Services; 405 IAC 5-5-1; filed Jul 25, 1997, 4:00 p.m.: 20 IR 3308; filed Mar 9, 1998, 9:30 a.m.: 21 IR 2379; readopted filed Jun 27, 2001, 9:40 a.m.: 24 IR 3822; filed Feb 3, 2006, 2:00 p.m.: 29 IR 1904)

LSA Document #05-220(F)

Notice of Intent Published: September 1, 2005; 28 IR 3612

Proposed Rule Published: November 1, 2005; 29 IR 639

Hearing Held: on November 22, 2005

Approved by Attorney General: January 25, 2006

Approved by Governor: February 3, 2006

Filed with Secretary of State: February 3, 2006, 2:00 p.m.

*IC 4-22-7-5(c) Notice from Secretary of State Regarding Documents Incorporated by Reference: None Received by Publisher
Small Business Regulatory Coordinator: Kate Bowen, Program Operations - Acute Care, Office of Medicaid Policy and Planning,
Indiana Government Center-South, 402 West Washington Street, Room W382, Indianapolis, IN 46204, (317) 233-1662,
kate.bowen@fssa.in.gov*