

**Continuous Glucose Monitors and Diabetic Supplies as a Pharmacy Benefit –  
Zoom Public Hearing Transcript 2/14/24 @ 10:00 CST**

**Mac Golden:** Good morning and welcome to a public hearing on a rule regarding continuous glucose monitors and diabetic supplies as a pharmacy benefit. Anita Castleberry, the Division of Medical Services Business Operations Manager will be announcing the Notice of Rule Making. Then we will open the floor for public comments. Please utilize the raise hand feature in Zoom if you would like to make a public comment on the record. All official responses to public comments will appear on the DHS proposed rules website after the public comment period concludes. Ms. Castleberry will now read the notice of rulemaking.

**Anita Castleberry:** Thank you, Mac. Notice of Rule Making.

The Department of Human Services announces for a public comment period of thirty (30) calendar days a notice of rulemaking for the following proposed rule under one or more of the following chapters, subchapters, or sections of the Arkansas Code: §§ 25-10-129, 20-76-201, and 20-77-107.

The Director of the Division of Medical Services (DMS) amends the Arkansas Medicaid State Plan, the Arkansas Children's Health Insurance Program (CHIP) State Plan, and corresponding Medicaid Provider Manuals to implement Act 393 of 2023 of the 94th General Assembly. The Act requires Arkansas Medicaid to cover continuous glucose monitors (CGMs) as a pharmacy benefit and mandates pharmacy coverage of CGMs for certain individuals with diabetes allowing for blood glucose levels to be monitored at set intervals without finger sticks. Eligible beneficiaries include those with Type 1 diabetes or any other type of diabetes with either insulin use or evidence of level 2 or level 3 hypoglycemia, or beneficiaries diagnosed with glycogen storage disease type 1a. Blood glucose monitors (BGMs) and other diabetic supplies are added to streamline administrative procedures and to increase access to care for beneficiaries.

To effectuate the above, DMS amends the following Medicaid Provider Manuals: ARKids First B (§221.100), Home Health (§242.150), Pharmacy (§§212, 216.100, and 216.101), and Prosthetics (§§212.206 and 212.207). Those sections of relevant manuals were updated to explain coverage for the expanded group of beneficiaries and supplies by pharmacies and DME providers as required by the Act. The revisions specify which claims are processed as a medical claim or a pharmacy claim.

DMS amends the Medicaid State Plan and CHIP state plan to establish reimbursement effective for dates of service on or after April 1, 2024. Specifically, reimbursement for CGM and related supplies, including patch type insulin pumps, will be based on wholesale acquisition cost (WAC) plus applicable professional dispensing fee. Traditional insulin pumps will remain at the Medicare non-rural rate. The CHIP state plan updates include comparable revisions to those outlined above. The updates include explanation of eligible beneficiaries, covered supplies with the addition of diabetic supplies to the prescription drugs category which ensures coverage for prescription drugs, CGMs with CGM supplies, patch type insulin pumps, and BGMs with blood glucose testing supplies.

The projected annual cost of this change for state fiscal year (SFY) 2024 is \$300,047.00 (of which \$216,034.00 is federal funds) and for SFY 2025 is \$213,589.00 (of which \$153,784.00 is federal funds).

Pursuant to the Governor's Executive Order 23-02, DHS repeals the following two rules as part of this promulgation: (1) DDS Policy 3018 – Reporting of Denial of Access to Services, and (2) DDS Policy 3018 – Mortality Review of Deaths of Persons Receiving Alternative Community Services Waiver Services.

The proposed rule is available for review at the Department of Human Services (DHS) Office of Rules Promulgation, 2nd floor Donaghey Plaza South Building, 7th and Main Streets, P. O. Box 1437, Slot S295, Little Rock, Arkansas 72203-1437. You may also access and download the proposed rule at [ar.gov/dhs](https://ar.gov/dhs).

[proposed-rules](#). This notice also shall be posted at the local office of the Division of County Operations (DCO) of DHS in every county in the state.

Public comments must be submitted in writing at the above address or at the following email address: [ORP@dhs.arkansas.gov](mailto:ORP@dhs.arkansas.gov). All public comments must be received by DHS no later than March 04, 2024. Please note that public comments submitted in response to this notice are considered public documents. A public comment, including the commenter's name and any personal information contained within the public comment, will be made publicly available and may be seen by various people.

If you need this material in a different format, such as large print, contact the Office of Rules Promulgation at (501) 320-6428. The Arkansas Department of Human Services is in compliance with Titles VI and VII of the Civil Rights Act and is operated, managed and delivers services without regard to religion, disability, political affiliation, veteran status, age, race, color or national origin.

**Mac Golden:** Thank you, Miss Castleberry. Please let the record reflect we have seven (7) attendees for today's public hearing. If an attendee would like to make a public comment at this time, please utilize the raise hand feature. I will pause a moment to do so.

It does not appear any attendees wish to make a public comment today. We thank you for attending this public hearing. We will now go off the record.