



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**
Division of Health Benefits

ROY COOPER • Governor
KODY H. KINSLEY • Secretary
JAY LUDLAM • Deputy Secretary, NC Medicaid

October 16, 2023

Dear County DSS Director:

The Department of Health and Human Services, Division of Health Benefits (DHB) hereby provides notice of its intent to exempt anti-retroviral (ARV) medications used to treat HIV for the purpose of reducing viral load from Medicaid co-payments. This exemption will apply to all eligibility groups.

The exemption intends to ensure those living with HIV transitioning from the HIV Medication Assistance Program to Medicaid coverage under expansion do not face new financial barriers for their medications. It also benefits current Medicaid enrollees living with HIV who pay co-payments for ARV medications. Additionally, the exemption supports public health efforts to reduce the transmission of HIV.

Please post this notice in your facility so that interested parties may be made aware of this proposed change and may comment as necessary. The posting can be removed after ninety days from the date of this letter.

Sincerely,

Betty J Staton

Betty J Staton
State Plan and Amendments Manager

Attachment: Public Notice SPA 23-0042 (**ARV Co-Pay Exemption**)

NC MEDICAID

NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF HEALTH BENEFITS

LOCATION: 1985 Umstead Drive, Kirby Building, Raleigh, NC
27603 MAILING ADDRESS: 2501 Mail Service Center, Raleigh, NC
27699-2001 www.ncdhhs.gov • TEL: 919-855-4100 • FAX: 919-
733-6608

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

**NOTICE AND OPPORTUNITY FOR PUBLIC COMMENT:
NC MEDICAID EXEMPTION FOR HIV MEDICATION CO-PAYMENTS
(SPA 23-0042)**

Pursuant to 42 CFR 447.57(c), the Department of Health and Human Services, Division of Health Benefits hereby provides notice of its intent to exempt anti-retroviral (ARV) medications used to treat HIV for the purpose of reducing viral load from Medicaid co-payments. This exemption will apply to all eligibility groups.

The exemption intends to ensure those living with HIV transitioning from the HIV Medication Assistance Program to Medicaid coverage under expansion do not face new financial barriers for their medications. It also benefits current Medicaid enrollees living with HIV who pay co-payments for ARV medications. Additionally, the exemption supports public health efforts to reduce the transmission of HIV.

This change will become effective November 1, 2023.

The estimated fiscal impact of this change is as follows:

- SFY 2024: \$33,729
- SFY 2025: \$51,146

Questions, comments, and requests for copies of the proposed State Plan amendment should be directed to the Division of Health Benefits via email to MedicaidRulesComments@dhhs.nc.gov or to the address listed below.

Jay Ludlam
Deputy Secretary for NC Medicaid
Division of Health Benefits
2501 Mail Service Center
Raleigh, NC 27699-2501

Posted on the Division of Health Benefits Website: October 12, 2023