

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023**

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SENATE BILL 656

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

Sponsors: Senator Grafstein (Primary Sponsor).

Referred to: Rules and Operations of the Senate

April 10, 2023

A BILL TO BE ENTITLED

AN ACT TO FOSTER COMPETITION AMONG THE BH IDD TAILORED PLANS.

The General Assembly of North Carolina enacts:

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

- (1) Beneficiaries may opt to remain in the Medicaid fee-for-service program, known as Medicaid Direct, for physical healthcare services when any of the beneficiary's healthcare providers are not contracted with the LME/MCO Tailored Plan network, if staying in Medicaid Direct is necessary as a reasonable accommodation of the beneficiary's need for continuity of care.
- (2) Based on differing service arrays, available services, or provider networks, beneficiaries may opt into a BH IDD tailored plan that is operating outside of the region in which the beneficiary resides.

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

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

