

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 An Act to amend the Code of Virginia by adding a section numbered 32.1-325.1:2, relating to Department of
3 Medical Assistance Services; expedited review process for Medicaid service authorization requests;
4 report.

5 [H 1452]
6 Approved

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

8 **1. That the Code of Virginia is amended by adding a section numbered 32.1-325.1:2 as follows:**

9 **§ 32.1-325.1:2. Expedited review of certain Medicaid service authorization requests; authority;**
10 **limitations.**

11 *A. The Department shall implement expedited review of Medicaid service authorization requests*
12 *consistent with applicable federal law and regulations governing expedited prior authorization*
13 *determinations.*

14 *B. Nothing in this section shall be construed to diminish or alter existing federal or state requirements*
15 *regarding documentation or certification necessary to demonstrate medical urgency.*

16 *C. Implementation of the expedited review process established pursuant to subsection A shall not be*
17 *construed to:*

18 *1. Guarantee approval of any request under review;*

19 *2. Create a new entitlement to coverage or payment;*

20 *3. Expand the scope of Medicaid benefits;*

21 *4. Alter existing medical necessity criteria;*

22 *5. Create a private cause of action; or*

23 *6. Require the Department to:*

24 *a. Accept incomplete or insufficient documentation required pursuant to subsection B;*

25 *b. Conduct new data collection, medical testing, or environmental monitoring;*

26 *c. Obtain or provide medical equipment; or*

27 *d. Engage consultants for implementation of this section.*

28 *D. The Department shall annually transmit the prior authorization report required by the Centers for*
29 *Medicare and Medicaid Services and publicly posted by the Department to the Chairs of the House*
30 *Committees on Appropriations and Health and Human Services and the Senate Committees on Finance and*
31 *Appropriations and Education and Health within 30 days of such public posting. The Department may*
32 *include additional summary information related to expedited service authorization determinations, including,*
33 *to the extent available from existing data systems and collected in the ordinary course of business, the*
34 *number of requests initially processed as standard that were subsequently determined to meet the criteria*
35 *necessary for expedited service authorization.*