



500 Summer St NE, E35
Salem, Oregon 97301
Voice 503-945-5772
Fax 503-947-1119
TTY 711
www.oregon.gov/OHA

Public notice

Notice of intent – OHA will amend the Medicaid State Plan to allow fee-for-service coverage of equivalent non-covered outpatient drugs during a national shortage.

Date: April 9, 2024

Contact: Jesse Anderson, State Plan manager

Comments due: 5 p.m. Friday, May 10, 2024

The Oregon Health Authority (OHA) will submit a State Plan Amendment (SPA) to the Centers for Medicare & Medicaid Services to have Oregon's Medicaid State Plan allow fee-for-service coverage of non-covered outpatient drugs (including FDA-authorized drug imports) when Oregon pharmacies cannot supply the FDA-approved, non-imported version of the drug product due to a recognized critical drug shortage.

Fiscal impact:

There is no known fiscal impact to make this change.

SPA language:

The next page shows the new State Plan language. You can also view the full State Plan, approved SPAs and proposed SPAs on [the OHA website](#).

How to comment:

OHA welcomes public review and input. Please send written comments by 5 p.m. Friday, May 10, 2024, to jesse.anderson@oha.oregon.gov.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: OREGON

AMOUNT, DURATION, AND SCOPE OF MEDICAL AND REMEDIAL
CARE AND SERVICES PROVIDED TO THE CATEGORICALLY NEEDY

LIMITATIONS ON SERVICES (Cont.)

12.a. Prescribed Drugs (Cont)

Drug Shortages:

The Medicaid agency will cover prescribed drugs that are not covered outpatient drugs (including drugs authorized for import by the Food and Drug Administration) when the state determines coverage is medically necessary due to a recognized critical drug shortage identified by at least one of the following:

1. The United States Food and Drug Administration (US FDA)
2. The American Society of Health-System Pharmacists

TN No. 23-000

Approval Date:

Effective Date: 7/1/24

Supersedes TN No. NEW