



**Q1: What is the NY Substance Use Disorders (SUD) Legislation as it relates to inpatient treatment of substance use disorders?**

A1: The NY SUD Legislation impacts non-Medicare inpatient services for the treatment of substance use disorders including detoxification, rehabilitation and residential treatment and applies only if the treatment is provided by an OASAS-certified facility that is in-network. The legislation exempts the first 28 days of substance use treatment for substance use disorders from prior approval or concurrent utilization review if the facility gives the insurer notice within 2 business days of the member's admission. The 28-day exemption of utilization management is effective on 1/1/20 and replaces the current 14-day exemption, which went into effect on 1/1/17.

**Q2: Is Medicare impacted by this legislation?**

A2: No, the legislation does not apply to Medicare. The legislation applies to Medicaid, Harmonious Plans, Essential Plans and Commercial Plans.

**Q3: What do providers need to submit to MVP?**

A3: Providers should notify MVP within 2 business days of the admission and submit the completed "Substance Use Disorder Two Business Day Notification and Initial Treatment Plan" or Appendix A, which supports the initial treatment plan (attached) and the OASAS LOCADTR results. You may find the Substance Use Disorder Two Business Day Notification and Initial Treatment Plan [here](#).

**Q4: How do I send information to MVP?**

A4: You may fax this information to MVP at: **1-855-853-4850**.

**Q5: What should providers expect from MVP?**

A5: MVP clinicians will contact facilities during the initial 28 days for periodic consultations. These consultations are not for utilization review purposes, but rather for coordination of care regarding the member's treatment and discharge plans. MVP would also like to offer assistance as needed during these consultations to remove any barriers that may be related to post discharge care.

**Q6: What happens if a provider fails to provide notification of admission with an initial treatment plan within 2 days of the admission?**

A6: If the provider fails to notify MVP of the admission within 2 business days of the admission, MVP will begin concurrent review immediately upon learning of the admission. This policy will apply even if it is during the initial 28-day period.

**Q7: What happens when a member discharges from the facility or if a member is in a facility longer than 28 days?**

A7: When the member is discharged, the provider should notify MVP of the discharge date along with the discharge plan within 24 hours of the discharge. This includes members leaving against medical advice (AMA). If the member requires treatment for greater than 28 days, the provider should contact MVP to begin the concurrent review process.

**Q8: Is retrospective utilization review permitted within this legislation?**

A8: Yes, MVP may perform retrospective utilization review of the services provided during the first 28 days of the inpatient treatment.