

# ForwardHealth **UPDATE**

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## **FORWARDHEALTH COVERAGE FOR OVER-THE-COUNTER OPILL (NORGESTREL) FOR BADGERCARE PLUS AND MEDICAID MEMBERS**

### **Standing Orders for Over-the-Counter Oral Contraception**

On March 18, 2024, the Wisconsin Department of Health Services (DHS) issued a standing order that will enable enrolled BadgerCare Plus and Medicaid members to more easily obtain the new Opill (norgestrel) oral over-the-counter (OTC) contraception product. This statewide standing order for Opill (norgestrel) was issued by the chief medical officer for the Division of Medicaid Services (DMS) under the authority of Wis. Stat. § [49.45\(1\)](#).

This standing order is distinct from the one issued on January 24, 2024, that enabled enrolled BadgerCare Plus and Medicaid members to more easily obtain levonorgestrel, an OTC oral emergency contraception, through their Medicaid coverage.

### **AFFECTED PROGRAMS**

BadgerCare Plus, Medicaid

### **TO**

Community Health Centers, Hospital Providers, Licensed Midwives, Nurse Midwives, Nurse Practitioners, Pharmacies, Physician Assistants, Physician Clinics, Physicians, Rural Health Clinics, Tribal Federally Qualified Health Centers, HMOs and Other Managed Care Programs

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The information provided in this ForwardHealth Update is published in accordance with Wis. Stat. § 49.45(1).

A standing order is defined in Wis. Stat. § [450.01\(21p\)](#) as an order transmitted electronically or in writing by a practitioner for a drug or device for multiple patients or for one or more groups of patients.

This ForwardHealth Update announces coverage for the oral OTC contraception Opill (norgestrel), effective March 18, 2024.

## **Over-the-Counter Oral Contraception—Opill (Norgestrel)**

On July 13, 2023, the Food and Drug Administration (FDA) approved Opill (norgestrel) to be available without a prescription. Opill (norgestrel) is a progestin-only oral contraceptive for voluntary use by persons of reproductive potential to prevent pregnancy.

### **Information for Medicaid Pharmacy Providers for Opill (Norgestrel)**

Effective March 18, 2024, pharmacy providers may apply the [standing order](#) issued by the DMS chief medical officer to fill a prescription for the OTC oral contraception Opill (norgestrel). This standing order fulfills the requirement of a prescription for BadgerCare Plus and Medicaid members to obtain covered FDA-authorized OTC oral contraception. It further authorizes providers to dispense such OTC products to BadgerCare Plus and Medicaid members to the extent a prescription is required, including for insurance coverage, under the pharmacy benefit.

If a member has an existing prescription from their provider, that prescription should be used. The standing order does not supplant individual prescriptions.

Prior to dispensing OTC oral contraception Opill (norgestrel) under the standing order, the provider should ensure all requirements of the standing order have been met and direct the member to review the manufacturer's instructions for use.

Pharmacies may dispense up to 84 tablets for a three-month supply per prescription with pro re nata (PRN) or "as needed" refills, which will allow for up to a one-year supply to be authorized per use of the standing order.

Providers may refer to the Contraceptives topic ([#9937](#)) of the ForwardHealth Online Handbook for further information.

Note: ForwardHealth covers other OTC contraception products not included in this standing order for members with an individual prescription from a Medicaid-enrolled provider.

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## Requirements for a Valid Prescription

Any prescription for members, including those based on standing orders, must be documented according to Wis. Admin. Code § DHS [107.02\(2m\)](#) (b). For documentation purposes, “the prescriber’s MA provider number” in Wis. Admin. Code § DHS 107.02(2m)(b) refers to that of the provider who authored the standing order. Providers must follow licensure scope of practice requirements when delegating dispensing or treatment authority per standing order.

## Submitting Claims for Over-the-Counter Contraception

Providers are required to submit pharmacy claims with correct National Drug Codes (NDCs) for the product dispensed. For more information about submitting pharmacy claims, providers may refer to the [Submission](#) chapter of the Online Handbook.

Specific NDCs for OTC products covered by Wisconsin Medicaid can be found on the [Drug Search Tool](#). For additional billing questions, providers may contact Provider Services at 800-947-9627.

## Member Information

Pharmacy providers dispensing OTC oral contraception may refer to the [Attachment](#) to this Update for the revised BadgerCare Plus and Wisconsin Medicaid Over-the-Counter Oral Contraceptives member flyer, P-03564 (03/2024). This flyer replaces the 01/2024 version and can be used to help answer member questions about what they need to obtain OTC oral or emergency contraception under their BadgerCare Plus and Wisconsin Medicaid program coverage, including Family Planning Only Services coverage.

Providers may also refer to the [Resources Supporting Coverage of Over-the-Counter Oral Contraception Under State Standing Orders](#) page of the ForwardHealth Portal for links to:

- The member flyer.
- This Update.
- Update [2024-04](#), “ForwardHealth Coverage for Over-the-Counter Oral Contraception for BadgerCare Plus and Medicaid Members.”
- Both standing orders.

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## Documentation Retention

Providers are reminded that they must follow the documentation retention requirements per Wis. Admin. Code § [DHS 106.02\(9\)](#). Providers are required to produce or submit documentation, or both, to DHS upon request. Per Wis. Stat. § [49.45\(3\)\(f\)](#), providers of services shall maintain records as required by DHS for verification of provider claims for reimbursement. DHS may audit such records to verify the actual provision of services and the appropriateness and accuracy of claims. DHS may deny or recoup payment for services that fail to meet these requirements. Refusal to produce documentation may result in denial of submitted claims, recoupment of paid claims, application of intermediate sanctions, or termination from the Medicaid program.

## Information Regarding Managed Care Organizations

This Update applies to the Family Care, Family Care Partnership, BadgerCare Plus, and SSI Medicaid managed care programs because pharmacy services for members of these programs are provided on a fee-for-service basis. Pharmacy services for Medicaid members enrolled in the Program of All-Inclusive Care for the Elderly (PACE) are provided by the member's managed care organization.

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**This Update was issued on 03/18/2024 and information contained in this Update was incorporated into the Online Handbook on 03/22/2024.**

The ForwardHealth Update is the first source of program policy and billing information for providers.

Wisconsin Medicaid, BadgerCare Plus, SeniorCare, and Wisconsin Chronic Disease Program are administered by the Division of Medicaid Services within the Wisconsin Department of Health Services (DHS). The Wisconsin AIDS Drug Assistance Program and the Wisconsin Well Woman Program are administered by the Division of Public Health within DHS.

For questions, call Provider Services at 800-947-9627 or visit our website at [www.forwardhealth.wi.gov/](http://www.forwardhealth.wi.gov/).

**ATTACHMENT**  
**Revised Member Flyer**  
**Regarding Over-the-Counter Oral Contraceptives**

(A copy of the revised member flyer is located on the following page.)

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# BadgerCare Plus and Wisconsin Medicaid

# Over-the-Counter Oral Contraceptives

Members of BadgerCare Plus and most Wisconsin Medicaid programs have coverage for over-the-counter (OTC) oral contraceptives, with no prescription needed.

## How does it work?

- ▶ Go to your local pharmacy and find the oral contraceptive product you want.
- ▶ Bring it to the pharmacy counter.
- ▶ Show your ForwardHealth card to get the medication at no cost to you.



## What products are covered?

- ▶ **Oral birth control:** You can get up to 84 tablets at a time, which is a three-month supply.
- ▶ **Emergency contraceptives:** You can get four tablets at a time, up to eight tablets per month. Most brands are included—ask your pharmacy about Medicaid-covered products.

## What else do I need to know?

- ▶ You do not need a prescription from your doctor. However, if you already have one, you should continue to use it.
- ▶ The ForwardHealth card used should belong to the person who will take the drug. A family member can pick up a supply for someone else if they show that person's ForwardHealth card. You can find a digital version of your ForwardHealth card in the MyACCESS app.
- ▶ Members must be between the ages of 10 and 65 to use this benefit.
- ▶ Other contraception products might be covered with a prescription. We encourage you to talk to your health care provider about options that are right for you.



## Questions?

Talk to your pharmacist if you have any questions about approved OTC contraceptives.