

N.J.A.C. 10:163

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 57 No. 12, June 16, 2025

NJ - New Jersey Administrative Code > TITLE 10. HUMAN SERVICES > CHAPTER 163. MEDICAL NECESSITY REVIEW TOOL FOR SUBSTANCE USE DISORDERS

Title 10, Chapter 163 -- Chapter Notes

Statutory Authority

CHAPTER AUTHORITY:

[N.J.S.A. 30:1-12](#) et seq.; P.L. 2017, c. 28; and Reorganization Plan 001-2018.

History

CHAPTER SOURCE AND EFFECTIVE DATE:

Effective: September 10, 2024.

See: [56 N.J.R. 1985\(a\)](#).

CHAPTER HISTORICAL NOTE:

Chapter 163, Medical Necessity Review Tool for Substance Use Disorders, was adopted as new rules by R.2017 d.185, effective October 16, 2017. See [49 N.J.R. 1302\(a\)](#), [49 N.J.R. 3435\(a\)](#).

Chapter 163, Medical Necessity Review Tool for Substance Use Disorders, was readopted with technical changes, effective September 10, 2024. See: Source and Effective Date. See, also, section annotations.

Annotations

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Research References & Practice Aids

CHAPTER EXPIRATION DATE:

Chapter 163, Medical Necessity Review Tool for Substance Use Disorders, expires on September 10, 2031.

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**NJ - New Jersey Administrative Code > TITLE 10. HUMAN SERVICES >
CHAPTER 163. MEDICAL NECESSITY REVIEW TOOL FOR SUBSTANCE USE DISORDERS >
SUBCHAPTER 1. GENERAL PROVISIONS**

§ 10:163-1.1 Purpose

- (a)** This chapter is adopted by the Division of Mental Health and Addiction Services (Division), in consultation with the Department of Health, to comply with the requirements of P.L. 2017, c. 28.
- (b)** Consistent with P.L. 2017, c. 28, the purpose of this chapter is to identify an evidence-based and peer-reviewed clinical review tool to review the medical necessity of inpatient and outpatient treatment of substance use disorders in the context of determining insurance benefit coverage.

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CHAPTER 163. MEDICAL NECESSITY REVIEW TOOL FOR SUBSTANCE USE DISORDERS >
SUBCHAPTER 1. GENERAL PROVISIONS**

§ 10:163-1.2 Scope

This chapter applies to State-regulated health insurance carriers, the State Health Benefits Program, and the School Employees' Health Benefits Program. In accordance with P.L. 2017, c. 28, this chapter does not apply to benefit plans established by the Department of Human Services, benefits to those persons who are eligible for medical assistance under P.L. 1968, c. 413 ([N.J.S.A. 30:4D-1](#) et seq.), the "Family Health Care Coverage Act," P.L. 2005, c. 156 ([N.J.S.A. 30:4J-8](#) et seq.), or any other program administered by the Division of Medical Assistance and Health Services in the Department of Human Services.

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CHAPTER 163. MEDICAL NECESSITY REVIEW TOOL FOR SUBSTANCE USE DISORDERS >
SUBCHAPTER 1. GENERAL PROVISIONS**

§ 10:163-1.3 Definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

"American Society of Addiction Medicine criteria" or "ASAM criteria" means the clinical guidelines for purposes of the assessment, treatment, placement, and transfer/discharge of individuals with substance use disorders. These ASAM criteria are contained in The ASAM Criteria: Treatment Criteria for Addictive, Substance-Related, and Co-Occurring Conditions, 3rd ed., Carson City, NV: The Change Companies, 2013, which is incorporated herein by reference, as amended and supplemented.

"ASAM Criteria Assessment Interview Guide" or "ASAM Guide" means the publicly available, standardized version of the ASAM Criteria assessment released by the Addiction Society of Addiction Medicine and University of California, Los Angeles Integrated Substance Abuse Programs, which is incorporated herein by reference, as amended and supplemented. The Guide (2022) is available at <https://www.asam.org/asam-criteria/implementation-tools/criteria-intake-assessment-form>.

"Department" means the Department of Human Services, unless otherwise specified.

"Division" means the Division of Mental Health and Addiction Services and is the single State agency responsible for the oversight of a range of community addiction services in the State of New Jersey.

"Level of Care Index" or "LOCI" means the standardized practice tool, which is incorporated herein by reference, as amended and supplemented, that is used to implement and document the ASAM criteria for treatment planning and placement of patients with substance use disorders. The LOCI is published by The Change Companies, www.changecompanies.net.

"Substance use disorder" means the classification as defined in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition (DSM-5), which is incorporated herein by reference, as amended and supplemented and includes substance use withdrawal.

History

HISTORY:

Notice of readoption with technical change, effective October 7, 2024.

See: [56 N.J.R. 1985\(a\)](#).

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§ 10:163-1.3 Definitions

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CHAPTER 163. MEDICAL NECESSITY REVIEW TOOL FOR SUBSTANCE USE DISORDERS >
SUBCHAPTER 2. CLINICAL GUIDELINES AND REVIEW TOOL FOR MEDICAL NECESSITY REVIEW
OF TREATMENT OF SUBSTANCE USE DISORDERS**

§ 10:163-2.1 Clinical guidelines and review tool

- (a)** The evidenced-based and peer-reviewed clinical practice guidelines appropriate to review the medical necessity for treatment of substance use disorders is the ASAM criteria.
- (b)** The evidence-based and peer-reviewed clinical review tool for purposes of reviewing medical necessity for the treatment of substance use disorders is the LOCI, the ASAM Criteria Assessment Interview Guide, or any similar tool with fidelity to the ASAM criteria.

History

HISTORY:

Notice of readoption with technical change, effective October 7, 2024.

See: [56 N.J.R. 1985\(a\)](#).

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