

## **N.J.A.C. 10:163**

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 50 No. 18, September 17, 2018

***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.; and P.L. 2017, c. 28.

#### **History**

---

##### **CHAPTER SOURCE AND EFFECTIVE DATE:**

R.2017 d.185, effective October 16, 2017.

See: 49 N.J.R. 1302(a), 49 N.J.R. 3435(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: Source and Effective Date.

NEW JERSEY ADMINISTRATIVE CODE

Copyright © 2018 by the New Jersey Office of Administrative Law

## **N.J.A.C. 10:163-1.1**

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 50 No. 18, September 17, 2018

***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.

NEW JERSEY ADMINISTRATIVE CODE  
Copyright © 2018 by the New Jersey Office of Administrative Law

## **N.J.A.C. 10:163-1.2**

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 50 No. 18, September 17, 2018

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

### **§ 10:163-1.2 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.

NEW JERSEY ADMINISTRATIVE CODE  
Copyright © 2018 by the New Jersey Office of Administrative Law

## **N.J.A.C. 10:163-1.3**

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 50 No. 18, September 17, 2018

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

### **§ 10:163-1.3 Definitions**

---

The following words and terms, as used in this chapter, shall have the following meaning, 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.

"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](http://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.

NEW JERSEY ADMINISTRATIVE CODE

Copyright © 2018 by the New Jersey Office of Administrative Law

## **N.J.A.C. 10:163-2.1**

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 50 No. 18, September 17, 2018

***New Jersey Administrative Code > TITLE 10. HUMAN SERVICES > 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 or any similar tool with fidelity to the ASAM criteria.

NEW JERSEY ADMINISTRATIVE CODE  
Copyright © 2018 by the New Jersey Office of Administrative Law