**Advance Notice of Rulemaking**

**Proposed Amendments to: N.J.A.C. 10:61, Independent Clinical Laboratories**

To whom it may concern:

This notice provides you and your organization with advance notice that the New Jersey Department of Human Services will propose amendments to N.J.A.C. 10:61, Independent Clinical Laboratories.

The more substantial of the proposed changes would amend the existing rule to:

* Update the list of Healthcare Common Procedure Coding System (HCPCS) procedure codes, their descriptions, and maximum fee amounts;
* Update the rules related to the use of HCPCS codes to ensure compliance with the Centers for Medicare and Medicaid Services (CMS) National Correct Coding Initiative (NCCI);
* Delete Level III HCPCS Codes because they are no longer recognized by CMS as valid codes;
* Codify the requirement that the providers obtain a federally required National Provider Identifier (NPI) and valid taxonomy code for their provider type. Providers were notified of the federal requirement to obtain an NPI and taxonomy code via DMAHS Newsletter Volume 16, Number 18, in December 2006. The proposed amendment updates the rule to memorialize this change; and
* Codify revised changes to policy and billing procedures related to presumptive drug screening and definitive drug testing. The amendments will address the criteria for ordering the tests, frequency of testing, covered and non-covered tests, and reimbursement requirements. Providers were notified of these changes via DMAHS Newsletter Volume 31, Number 11, in April 2021. The proposed amendments will memorialize these changes.

Non-substantial amendments will include technical amendments intended to correct grammar, spelling, organization of the chapter, contact information, websites, and/or citation references in the rule text.

N.J.A.C. 10:61, Independent Clinical Laboratories, can be downloaded free of charge at <http://www.lexisnexis.com/hottopics/njcode>

This notice provides you with an opportunity to submit informal comments by **September 5, 2024.**

Please submit all comments to:

Margaret M. Rose Attn:  N.J.A.C. 10:61 Advance Notice

Mail:   Division of Medical Assistance and Health Services

Office of Legal and Regulatory Affairs

Mail Code #26

P.O. Box 712

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Hand Delivery: 6 Quakerbridge Plaza, Mercerville, NJ 08619.

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Email: Margaret.Rose@dhs.nj.gov

NOTE:  You will also be given a 60-day opportunity to submit formal comments on the proposed amendments subsequent to its publication in the New Jersey Register. This office will notify you of the exact date of publication and the due date for submission of formal comments once the publication date is confirmed by the New Jersey Office of Administrative Law.

General feedback or comments on any Medicaid/NJ FamilyCare rule or program is always welcome and can be submitted in the manner described above for consideration and possible inclusion in future rulemakings.

Thank you for your interest in the New Jersey Medicaid/NJ FamilyCare program.