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Department of Health Care Services
Children's Medical Services Network
(CMS Net) - Information Bulletin #310

Coverage for Experimental and Investigational Drugs

This is a reminder that the CCS Program has in place a numbered letter (NL #37-1292) addressing whether experimental or investigational drugs can be covered by CCS. Drugs include those that have not yet received FDA approval for use in the United States.

Drugs deemed to be "experimental" are not a covered benefit.

Drugs deemed "investigational" may be a covered benefit if certain conditions are met, as specified by California Code of Regulations, Title 22, §51303.

All requests for investigational drugs should be referred to the County Medical Consultant who will work in conjunction with the Regional Office Medical Consultant to establish medical necessity.

In order for drugs not yet approved for use in the United States to be authorized, the prescriber must obtain an FDA approved treatment or compassionate use IND (Investigational New Drug). CCS coverage will also be dependent on establishment of a billing mechanism to allow payment of the claim by a provider.

Numbered Letter #37-1292 can be found at:
http://www.dhcs.ca.gov/services/ccs/Documents/ccsnl371292.pdf

If you have any questions, please contact:

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