

**MMAC REGULATIONS REPORT
JUNE 2018**

COMAR	TITLE	PURPOSE	AELR DATE	DATE OF 1 ST PRINTING IN MD REG	30-DAY COMMENT PERIOD: COMMENTS REC'D?	DATE OF FINAL PRINT IN MD. REG.	APPROVED (10 DAYS AFTER FINAL)
10.09.20	Community Personal Assistance Services	The purpose of this action is to: (1) Clarify Definitions; (2) Add participation requirements for all Community Personal Assistance Services providers to be free from conflicts of interest and for personal assistance providers to conduct criminal history record checks on all direct service workers; (3) Clarify covered services related to transition services for supports planning; and (4) Change the methodology for payment to a daily rate for participants who require more than 12 hours of service per day.					
10.09.23	EPSDT Services	The purpose of this proposal is to: (1) Update the title of the EPSDT manual to reflect its inclusion of audiology and physical therapy services; (2) Add physician assistants as a health care practitioner the Program will consider for certification by the Healthy Kids Program as an EPSDT screening provider; (3) Add clinically managed high intensity residential services (ASAM level 3.5) to the levels of care covered in Intermediate Care Facilities for patients under the age of 21; (4) Remove residential rehabilitation service providers as EPSDT treatment providers; (5) Update references to 10.63 in place of 10.47 which will be repealed by the BHA; and (6) Clarify that the Intermediate Care Facilities shall provide separate social, residential, dietary, and recreational activities for children and adolescents, if appropriate.					
10.09.37; .58	Family Planning	The purposes of this proposal are to expand family planning eligibility by increasing the income limits and eliminating gender and age requirements for those who are able to receive benefits, in accordance with Senate Bill 774 Maryland Medical Assistance Program- Family Planning Services, 2018, Health and Government Operations.					
10.09.03; 10.09.21	Pharmacy; Pharmacists	The purpose of this action is to: (1) Establish requirements for individual pharmacists who enroll in the Program in order to counsel and prescribe certain contraceptive medications and self-administered contraceptive devices to Maryland Medicaid participants, in accordance with Article II, Section 17(c) of the Maryland Constitution - Chapter 821;					

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		and (2) Update the definition of pharmacist to reflect updated scope of practice.					
10.09.52	Service Coordination for Children with Disabilities	The purpose of this action is to correct a typographical error in the definition of a “unit of service” with respect to a completed autism waiver plan of care review.					
10.09.95	Special Psychiatric Hospitals	The purpose of this action is to align the payment methodology for out-of-State psychiatric hospitals with payment methodology for other out-of-State hospitals by reimbursing them the lesser of its charges or the amount reimbursable by the host state’s Title XIX agency.					
10.09.24.0 4-1	Medical Assistance Eligibility	The purpose of this action is to amend the processing application time limitations for MAGI-exempt coverage groups from 30 days to 45 days, matching the time limitation set under federal regulations.					
10.09.03.0 5	Pharmacy	The purpose of the propose action is to extend the length of time contraceptive prescriptions may be supplied at one time from 6 months to 12 months, in accordance with Senate Bill 774 / House Bill 994 (Chapters 464 and 465, Acts of 2018). Additionally, the proposed action adds language to clarify that the Program does not cover drugs or products that are not medically necessary.	6/7/18	7/20/18 Ant.	7/20/18—8/20/18 Ant.		
10.01.04 and .05; 10.09.63, .67, and .70	MCOs	The purposes of this proposal are to correct the time frame and conditions under which an enrollee can request a State fair hearing, repeal the Board of Review regulations, update eligibility regulations to coincide with current business practices, require that enrollees applying through the Maryland Health Exchange chose an MCO at time of application or be auto assigned to an MCO, and require MCOs to cover audiology for adults and children and remote patient monitoring.	6/7/18	7/20/18 Ant.	7/20/18—8/20/18 Ant.		
10.09.02.0 7	Physicians’ Services	The purpose of this proposal is to update Maryland Medical Assistance Program Professional Services Provider Manual and the Physicians’ Services Fee Schedule that is incorporated by reference.	4/1/18	6/22/18 Ant.	6/22/18—7/23/18 Ant.		
10.09.05.0 7	Dental Services	The proposed regulations update the date that the dental fee schedule is incorporated by reference and clarifies when providers may not bill program participants.	4/20/18	6/22/18 Ant.	6/22/18—7/23/18 Ant.		
10.09.51.0	Audiology Services	The proposed regulations update the language for audiology	4/1/18	6/22/18	6/22/18—7/23/18		

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1-.07		services and expand audiology services to Maryland Medicaid participants over the age of 21 years.		Ant.	Ant.		
10.09.69.01, .02— .14, .17, and .18	REM	The purpose of the proposed action is to update the language in COMAR 10.09.69 regulations to coincide with the requirements of COMAR 10.09.53: Early and Periodic Screening, Diagnosis, and Treatment: Nursing Services for Individuals Younger than 21 Years Old.	12/1/17	1/5/18	1/5/18—2/5/18	6/22/18 Ant.	7/2/18 Ant.
10.01.09.01 and .06; 10.09.10.01, .03, .04, and .06— .30	Nursing Facilities	The purpose of this proposal is to repeal outdated regulations, reorganize the Nursing Facilities Services chapter, and update cross-references.	2/12/18	3/30/18	3/30/18—4/30/18	6/22/18 Ant.	7/2/18 Ant.
10.09.78.08	Medicare Advantage Plans	The purpose of this proposal is to repeal an outdated and obsolete regulation governing recovery and reimbursement for Medicare Advantage Plans because the Program no longer pays the capitation rates to Medicare Advantage Plans as this regulation contemplates.	2/12/18	4/13/18	4/13/18—5/13/18		
10.09.16.01—.13	HMOs	The purpose of this proposal is to repeal an outdated and obsolete chapter of regulations governing Health Maintenance Organizations (HMOs).	2/12/18	4/13/18	4/13/18—5/13/18		
10.09.15.01, .04—.09, and .11	Podiatry Services	The purpose of this proposal is to update the regulations to further clarify covered services and limitations of podiatric care, as well as an update of specific terms within the regulations.	2/12/18	4/13/18	4/13/18—5/13/18		
10.09.09.03	Medical Laboratories	The purpose of this proposal is to correct an outdated reference to a condition for participation under COMAR 10.09.36 General Medical Assistance Provider Participation Criteria.	2/12/18	4/13/18	4/13/18—5/13/18		
10.09.17.01—.04, and .06	Physical Therapy Services	The purpose of this proposal is to update language regarding who may prescribe physical therapy services for adults to align with current practice for occupational therapy and speech services.	2/12/18	4/13/18	4/13/18—5/13/18		