



STATE OF MARYLAND

DHMH

Office of Health Services **PT 11-08**
Medical Care Programs

Maryland Department of Health and Mental Hygiene
201 W. Preston Street • Baltimore, Maryland 21201

Martin O'Malley, Governor – Anthony G. Brown, Lt. Governor – John M. Colmers, Secretary

MARYLAND MEDICAL ASSISTANCE PROGRAM
Managed Care Organization Transmittal No. 68
November 1, 2007

TO: Managed Care Organizations

FROM: Susan Tucker, Executive Director
Susan F. Tucker
Office of Health Services

NOTE: Please ensure that the appropriate staff members in your organization are informed of the contents of this transmittal.

RE: Amendments to HealthChoice and PAC Regulations

The Maryland Medical Assistance Program has adopted amendments to COMAR 10.09.63 Maryland Medicaid Managed Care Program: Eligibility and Enrollment, COMAR 10.09.65 Maryland Medicaid Managed Care Program: Managed Care Organizations, COMAR 10.09.66 Maryland Managed Care Program: Managed Care: Access, COMAR 10.09.67 Maryland Medicaid Managed Care Program: Benefits, COMAR 10.09.69 Maryland Medicaid Managed Care Program: Rate and Expensive Case Management and COMAR 10.09.76 Primary Adult Care Program. The amendments have been adopted as proposed and will become effective November 5, 2007.

These amendments:

- (1) Correct the name of the Employed Individuals with Disabilities Program;
- (2) Require MCOs to comply with sections of the Social Security Act relating to employee education regarding false claims;
- (3) Correct reference to Maryland Healthy Kids Program in the Quality Assessment and Improvement Chapter;
- (4) Remove Regulation .16, Historic Providers, from 10.09.65 as it is no longer applicable;
- (5) Require MCOs to comply with the third party liability requirements of Maryland Insurance Article §15-1008;
- (6) Move zip code 20883 to the correct LAA;
- (7) Remove incorrect references to Healthy Start case management;
- (8) Correct the REM disease list;
- (9) Remove obsolete definitions and program start up language from PAC regulations;
- (10) Require PAC MCOs to comply with the same marketing guidelines as HealthChoice MCOs; and

(11) Remove the list of codes for family planning visits and contraceptive methods and devices and replace it with a blanket statement requiring that all visits and FDA-approved contraceptive methods be covered under HealthChoice and PAC.

Questions regarding this amendment should be directed to the Division of HealthChoice Management and Quality Assurance at (410) 767-1482.

attachment

Title 10 DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Subtitle 09 MEDICAL CARE PROGRAMS

Notice of Final Action

[07-212-F]

On October 15, 2007, the Secretary of Health and Mental Hygiene adopted:

(1) Amendments to Regulation .01 under COMAR 10.09.63 Maryland Medicaid Managed Care Program: Eligibility and Enrollment;

(2) Amendments to Regulations .02, .03, .18, and .20, and the repeal of existing Regulation .16 under COMAR 10.09.65 Maryland Medicaid Managed Care Program: Managed Care Organizations;

(3) Amendments to Regulation .06 under COMAR 10.09.66 Maryland Medicaid Managed Care Program: Access;

(4) Amendments to Regulations .19, .21, and .27 under COMAR 10.09.67 Maryland Medicaid Managed Care Program: Benefits;

(5) Amendments to Regulations .12 and .17 under COMAR 10.09.69 Maryland Medicaid Managed Care Program: Rare and Expensive Case Management; and

(6) Amendments to Regulations .01, .03, .07, and .10 under COMAR 10.09.76 Primary Adult Care Program.

This action, which was proposed for adoption in 34:17 Md. R. 1525 — 1528 (August 17, 2007), has been adopted as proposed.

Effective Date: November 5, 2007.

JOHN M. COLMERS
Secretary of Health and Mental Hygiene

Subtitle 45 MARYLAND COMMUNITY HEALTH RESOURCES COMMISSION

10.45.09 Emergency Grant Funding

*Authority: Health-General, §§19-2107, 19-2109, and 19-2201,
Annotated Code of Maryland*

Notice of Final Action

[07-121-F]

On October 3, 2007, the Maryland Community Health Resources Commission adopted new Regulations .01 — .08 under a new chapter, COMAR 10.45.09 Emergency Grant Funding. This action was considered by the Commission at an open meeting on October 3, 2007, notice of which was given through publication in the Maryland Register pursuant to State Government Article, §10-506, Annotated Code of Maryland. This action, which was proposed for adoption in 34:12 Md. R. 1080 — 1082 (June 8, 2007), has been adopted with the nonsubstantive changes below.

Effective Date: November 5, 2007.

Attorney General's Certification

In accordance with State Government Article, §10-113, Annotated Code of Maryland, the Attorney General certifies that the following changes do not differ substantively from the proposed text. The nature of the changes and the basis for this conclusion are as follows:

Regulation .02B(6)(f): The addition of the phrase "any and all" prior to "emergency funding requests" was made to clarify that all emergency funding requests are to be included. This is not a substantive change because the public was aware of this requirement.

Regulation .02B(6)(h): The regulation seeks to have the applicant identify all other sources of funding for which the applicant has applied. The addition of the phrase "both internal and external" to modify the phrase "sources of funding" clarifies which sources of funding are to be identified. The inclusion of all sources of funding was contemplated by the original language, but the clarification is added to underscore the completeness of the list of sources identified. This is not a substantive change because the public was aware of this requirement.

Regulation .04E: The regulation seeks to determine whether the applicant for emergency funds has a history of encountering emergencies for which funding has been sought and the results of those prior funding requests. The change made from providing information about how prior emergencies were addressed to providing the number of prior requests actually funded, reduces the burden on the emergency applicant. Instead of detailing how each of these prior emergency requests was handled, the changed language requires only that the applicant specify how many of the requests received funding. This is not a substantive change because the public was aware of the requirement.

.02 Letter of Request.

A. (proposed text unchanged)

B. A letter of request shall include the following elements:

(1) — (5) (proposed text unchanged)

(6) *The nature of the program or service whose existence or funding is threatened, including:*

(a) — (e) (proposed text unchanged)

(f) *A concise account of any and all emergency funding requests by the applicant over the past 3 years and the results of those requests;*

(g) (proposed text unchanged)

(h) *A list of all other potential sources of funding, both internal and external, that have been approached by the applicant for this temporary emergency and their responses;*

(i) — (j) (proposed text unchanged)

.04 Selection Criteria for Temporary Emergency Funding.

The Commission's criteria for awarding an emergency grant to a community health resource are as follows:

A. — D. (proposed text unchanged)

E. *The [[frequency]] number of emergencies [[encountered]], as that term is described in Regulation .01B of this chapter, for which funding was sought by the applicant in the last 3 years and the [[manner]] number of instances in which [[they were addressed]] funding was obtained.*

GRACE ZACZEK
Acting Executive Director
Maryland Community Health Resources Commission