

MEDICAID ADVISORY COMMITTEE MONTHLY REPORT
May 23, 2013

COMAR	Title	PURPOSE	AELR DATE	DATE of 1st Printing in MD REG	DATE of FINAL print in MD. REG.	APPROVED (10 days after final)
10.09.04	Home Health Services	The proposed amendments are intended to ensure face-to-face physician or authorized non-physician encounters occur closer to the start of care to confirm that the conditions exhibited by the patient at the initial encounter are related to the primary reason for the need for home health care. Additionally, the amendment is proposed to make certain that physician certification/recertification of home health services are obtained by the home health agency in a timely manner prior to the start of care	5/13/13			
10.09.01 (01-.05), 10.09.21 (01-.05), 10.09.58 (04)	Nurse Practitioner Services Midwife Services Family Planning Program	The purpose of this action is to change language regarding written agreement and plans between nurse midwives, nurse practitioners, and physicians to coincide with current policy	5/6/13			
10.09.83 New Chapter (.01-.07)	Third Party Liability	The purpose of this action is to set forth procedures for the calculation and recovery of the Department's subrogation claims as required by federal law. Since its initial publication of the regulations on September 24, 2010, the Department has solicited written comments from and convened numerous meetings with interested parties. As a result of these comments and meetings, the Department has agreed to modify the regulations to: (1) defer to the trier of fact's determination regarding the amount of the overall award attributable to medical expenses, compared to the amount attributable to pain and suffering and other factors, in cases involving a determination by a judge or jury, (2) clarify the right to place undisputed portions of a settlement or award into a trust, (3) clarify and modify all timing requirements to be consistent with Health-General § 15-120, (4) provide for a proportional reduction of recoveries if the judgment or award is greater than available liability coverage, (5) limit the Department's recoupment to only the portion of the allocation related to past medical expenses, (6) reduce the Department's recovery by one-third of the amount of the recipient's attorney's fees in the event that the Department, after notice, fails to intervene in the recipient's case; and (7) provide the recipient an opportunity to present evidence at a fair hearing to challenge the Department's proposed subrogation claim.	10/9/12 Newest Proposal 2/14/13	11/16/12 3/22/13		

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10.09.35 (.01, .04, .05)	Hospice Care	The purpose of this proposal is to eliminate outdated terminology and procedures in the Maryland Medical Assistance Hospice Program to be consistent with comparable federal terminology, procedures and requirements.	02/08/13	3/22/13		
10.09.41 (.02, .03, .04, .07)	Employed Individuals with Disabilities	The purpose of this proposal is to amend current regulations to include provisions that will: 1) Increase the resource limit for married couples to \$15,000; 2) Waive premium amount up to 6 months for the months between the application date and the determination of eligibility; 3) Provide a grace period of up to 6 months eligibility, if individual becomes unemployed and continues to meet all other factors of eligibility; and 4) Clarify the annual recalculation of the monthly premium payment amount.	02/08/13	3/8/13	5/17/13	
10.09.48 (.01-.18)	Case Management for Individuals with Developmental Disability	The purpose of this proposal is to consolidate and streamline case management services provided to Medicaid-eligible individuals with developmental disabilities under one chapter of regulation. Providers will be reimbursed based on the amount of time spent providing services to eligible individuals. In addition, by increasing the number of individuals eligible for services, the State is able to draw down federal funds and increase provider reimbursement rates.	3/12/13	4/19/13		
New 10.09.48 (.01-.12)	Targeted Case Management for People with Intellectual and Developmental Disabilities.					
10.09.47 (.03)	Disproportionate Share Payment	To redistribute uncompensated care overpayments. The regulations restate and modify existing Departmental policies.	2/14/13	3/22/13		