

**INTERNAL REGULATIONS & TRANSMITTAL REPORT**  
**September 2022**

**REGULATIONS REPORT**

<b>COMAR</b>	<b>TITLE</b>	<b>PURPOSE</b>	<b>DATE GOV APPROVED/SUB'D TO AELR</b>	<b>DATE OF 1ST PRINT IN MD REG.</b>	<b>30-DAY COMMENT PERIOD: COMMENTS REC'D?</b>	<b>DATE OF FINAL PRINT IN MD REG.</b>	<b>DATE APPROVED (10 DAYS AFTER FINAL)</b>
10.09.31 & 10.67.06	Emergency Services Transporters; MMCP: Benefits	To increase the reimbursement rate received by the Emergency Service Transporters for services provided to Medicaid participants from \$100 to \$150. In addition, Emergency Service Transporters will be reimbursed \$150 per interaction for situations in which Medicaid participants do not require or refuse transportation services and for transportation to alternative destinations other than an Emergency Department (ED). Lastly, this action defines Mobile Integrated Health (MIH) services and sets the reimbursement rate at \$150 for the Emergency Service Transporters per qualified visit and requires MCOs to provide this benefit to participants.	8/31/22	10/7/22 Ant.	10/7/22 - 11/7/22 Ant.		
10.09.95	Special Psychiatric Hospital	To expand coverage of inpatient mental health services in special psychiatric hospitals for Medicaid adults aged 21 to 64 for up to 60 days, and permit reimbursement when providers render services in facilities located in contiguous states and the District of Columbia. Aligns Medicaid regulations with the CMS-approved HealthChoice Medicaid Section 1115 Demonstration. Updates the referenced regulation for the waiver-eligible definition.	8/31/22	10/7/22 Ant.	10/7/22 - 11/7/22 Ant.		
10.09.41.04 and .07	Employed Individuals with Disabilities	To expand the eligible population for the Employed Individuals with Disabilities Program by establishing less restrictive financial eligibility requirements and setting new premium levels for higher-income participants.	6/14/22	7/29/22	7/29/22—8/29/22		
10.09.28.01-.06	Applied Behavior Analysis Services	To update definitions, provider qualifications, conditions for participation, participant eligibility, and covered services to reflect current industry terminology and practice; alter requirements for parental/caregiver participation in the provision of ABA services; add a statement requiring consent of ABA services by the participant or participant's parent or guardian; preserve rates in effect for the first and second half of FY 2021; and effectuate a 3.5 percent rate increase for ABA services effective January 1, 2021, in accordance with the FY 2021 State budget and the Governor's directive and a 5.4 percent rate increase for ABA services effective November 1, 2021 in accordance with the American Rescue Act that occurred during FY 2022.	7/18/22	9/9/22 Ant.	9/9/22—10/9/22 Ant.		
10.09.34.01-.04; and .06	Therapeutic Behavioral Services	To update reimbursement rates for Therapeutic Behavioral Services (TBS) in accordance with House Bill 588 (Fiscal Year 2022), Chapter 357, the American Rescue Plan Act and CMS Final Rule 1715-F. Additionally, this action clarifies the services	7/18/22	9/9/22 Ant.	9/9/22—10/9/22 Ant.		

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		covered for reassessments and removes the term “recipient” and replaces it with “participant.”					
10.09.69	Rare and Expensive Case Management (REM)	To increase reimbursement rates for case management services provided to REM program participants by 4%, in accordance with House Bill 588, Budget Bill, Fiscal Year 2022). The proposed action also revises the REM diagnoses in accordance with 2021 updates to the ICD-10 code list.	6/9/22	7/29/22	7/29/22-8/29/22		
10.09.07	Medical Day Care Services	To implement a 4 percent rate increase, as well as a one time increase provided by ARPA.	6/9/22	7/29/22	7/29/22-8/29/22		
10.09.10	Nursing Facility Services	The purpose of this action is to update the budget adjustment factors for Fiscal Years 2021 and 2022, extend the sunset date for the Interim Working Capital Fund for one year, and to clarify cost reporting and field verification requirements for out-of-state nursing facilities.	6/9/22	7/29/22	7/29/22-8/29/22		
10.09.53	EPSDT: Nursing Svcs. For Individuals Younger than 21 y/o	To incorporate provider reimbursement rates for nursing services covered under this chapter	6/9/22	7/29/22	7/29/22-8/29/22		
10.09.80	Community Based SUD	To effectuate the FY 2022 rates for community behavioral health providers, which were implemented early on January 1, 2021, and to establish the FY 2021 rates in effect July 1, 2020 through December 31, 2020.	6/13/22	7/29/22	7/29/22 — 8/29/22		
10.09.90.07	Mental Health Case Management: Care Coordination for Children and Youth	To update the Level III-Intensive Care Coordination participant eligibility requirements for children younger than 6 years old in order to align with 1915(i) Intensive Behavioral Services referral requirements.	3/24/22	5/6/22	5/6/22—6/6/22		