



STATE OF MARYLAND

DHMH

Maryland Department of Health and Mental Hygiene

Larry Hogan, Governor - Boyd K. Rutherford, Lt. Governor - Dennis R. Schrader, Secretary

MARYLAND MEDICAL ASSISTANCE PROGRAM

Substance Use Disorder Transmittal No. 21

March 27, 2017

TO: Substance Use Disorder Providers
FROM: Susan J. Tucker, Executive Director
Office of Health Services

RE: Combination of Services, OMT Restrictions

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

Effective the date of this transmittal, all methadone providers are on notice that they may have received an overpayment due to improper billing of bundled services. This provider alert serves to remind all SUD providers of the combination of services rules associated with methadone maintenance. To view all the combination of service rules, visit Beacon's website here:
http://maryland.beaconhealthoptions.com/provider/prv_info.html

Currently, Maryland Medicaid reimburses opioid treatment programs (OTPs) for methadone maintenance through a bundled weekly rate (H0020). COMAR 10.09.80.05(E) and the December 15, 2014 Maryland Medical Assistance Transmittal re: "Medical Billing and Enrollment for Provider Type 32" identify individual services covered in the bundled weekly rate and therefore, prohibited from billing separately or in addition to bundled weekly rate. The bundled weekly rate includes: comprehensive substance use disorder assessment; individualized treatment plan; methadone dosing; substance use disorder and related counseling; medical services; ordering and administering drugs; presumptive and definitive drug testing; and discharge planning.

COMAR 10.09.80.06(B) states that providers may **not** bill Maryland Medicaid for both opioid maintenance therapy (H0020) delivered by an OTP *and* any one of the services listed below when delivered by any provider during the same week:

- H0004 – Substance Abuse Individual Outpatient Therapy
- H0005 – Substance Abuse Group Outpatient Therapy
- H0014 – Ambulatory Withdrawal Management
- H0015 – Substance Abuse Intensive Outpatient Therapy
- H2036 – Substance Abuse Partial Hospitalization
- H0016 – Buprenorphine Induction
- H0047 – Ongoing Buprenorphine Monitoring

The Department discovered providers inappropriately billed, and were reimbursed, for prohibited combination of services. Such payments qualify as overpayment or duplicative payments for the same service, and are susceptible to recoupment.

OTPs are responsible for providing ASAM levels of care 1 and 2. If a patient's needs are not being met or the OTP elects to refer a patient to a different provider, the referring OTP may not bill the weekly bundled rate for methadone maintenance during the period of time the individual is in Intensive Outpatient Program (IOP) counseling.

This restriction has been in effect since 2010, and providers must adhere to Medicaid regulations. To review combination of services regulations, visit COMAR 10.09.80 Community-Based Substance Use Disorder Services:

http://www.dsd.state.md.us/COMAR/SubtitleSearch.aspx?search=10.09.80.*. Additional information and guidance regarding combination of services restrictions is available in the Provider Manual, on Beacon's website: http://maryland.beaconhealthoptions.com/provider/prv_info.html).

Providers should evaluate their patient panels immediately to ensure compliance with all regulations. If you find that you have shared patients in a manner that is restricted, you should reach out to the shared provider in order to determine return of duplicative payments to the State.

The Department, via Beacon, will seek repayment from providers who billed, and were reimbursed, prohibited combinations of services. Providers may make arrangements for re-payments through retraction of future reimbursements and Beacon will work with providers on a re-payment plan that reduces any financial impact. All providers must conduct a self-audit of all claims paid between January 1, 2015 and the present and report all overpayments to Beacon. **Failure to disclose and repay an overpayment in a timely manner may subject the provider to liability under the State and Federal False Claims Acts.**

Note: With methadone maintenance re-bundling, these service combinations will be modified to reflect the new regulations. For additional information about rebundling please see <http://dhmh.maryland.gov/bhd/Pages/Integration-Efforts.aspx>.

If there are any questions, please contact dhmh.mabehavioralhealth@maryland.gov.