

**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
Home Health Transmittal No. 51
December 27, 2007

TO: Home Health Agencies

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

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

RE: Proposed Amendments to COMAR 10.09.04 Home Health Services

WRITTEN COMMENTS TO:
Michele Phinney
201 West Preston Street, Room 512
Baltimore, Maryland 21201
FAX: 410-767-6843 or call
410-767-6499 or
1-877-4MD- DHMH extension 6499

PROGRAM CONTACT PERSON:
Nancy Cutair, Division Chief
Division of Nursing Services
410-767-1448 or
1-877-4MD-DHMH extension 1448

Comment Period Expires: January 22, 2008

The Maryland Medical Assistance Program is proposing to amend Regulations .04 — .05 under COMAR 10.09.04 Home Health Services. A copy of the proposed amendments, as printed in the December 21, 2007 issue of the Maryland Register, is attached.

The proposed amendments are intended to ensure that a newborn's early discharge assessment is physician ordered by removing language which allowed a certified nurse midwife or nurse practitioner to order the service. This change is necessary due to the federal requirement that home health services be physician ordered only. In addition, the proposed changes remove references to other regulations that have been amended and are no longer applicable to a newborn early discharge assessment.

Attachment

Subtitle 09 MEDICAL CARE PROGRAMS

10.09.04 Home Health Services

Authority: Health-General Article, §§2-104(b), 15-103, and 15-105,
Annotated Code of Maryland

Notice of Proposed Action

[07-318-P]

The Secretary of Health and Mental Hygiene proposes to amend Regulations .04 and .05 under **COMAR 10.09.04 Home Health Services**.

Statement of Purpose

The purpose of this action is to remove specific outdated COMAR references and ensure that a newborn's early discharge assessment is physician ordered only as required under federal regulations.

Comparison to Federal Standards

There is a corresponding federal standard to this proposed action, but the proposed action is not more restrictive or stringent.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Michele Phinney, Director, Office of Regulations and Policy Coordination, DHMH, 201 W. Preston St., Room 512, Baltimore, MD 21201, or call 410-767-6499, or email to regs@dhhm.state.md.us, or fax to 410-333-7687. Comments will be accepted through January 22, 2008. A public hearing has not been scheduled.

.04 Covered Services.

A.—C. (text unchanged)

D. The Program covers a provider's newborn early discharge assessment visit to a recipient when the assessment:

(1) (text unchanged)

(2) Is ordered by a physician [, certified nurse midwife, or nurse practitioner];

(3)—(4) (text unchanged)

(5) Includes:

(a)—(b) (text unchanged)

(c) Collection of a blood specimen for newborn screening as described in COMAR [10.52.12.02] 10.52.12;

(d) (text unchanged)

(e) Referrals for any continuing health care services, including [services for postpartum women and children under COMAR 10.09.38.04] skilled nursing services under COMAR 10.09.53 [,] or home health services under this chapter; and

(6) (text unchanged)

.05 Limitations.

The Program does not cover the following:

A.—V. (text unchanged)

W. A newborn early discharge visit provided on the same day as [services billed under COMAR 10.09.38 or] another skilled nursing visit billed under this chapter.

JOHN M. COLMERS
Secretary of Health and Mental Hygiene