

PT15-02



STATE OF MARYLAND
DHMH

Office of Health Services
Medical Care Programs

Maryland Department of Health and Mental Hygiene
201 W. Preston Street • Baltimore, Maryland 21201
Parris N. Glendening, Governor - Georges C. Benjamin, M.D., Secretary

MARYLAND MEDICAL ASSISTANCE PROGRAM
Medical Supply and Equipment Transmittal No. 53
January 7, 2002

Disposable Medical Supplies/Durable Medical Equipment Providers

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

SUBJECT: Adoption of Amendments to Disposable Medical Supplies/Durable Medical Equipment Services

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

ACTION: Permanent Status **EFFECTIVE DATE:** January 7, 2002

COMMENT PERIOD ENDED: November 29, 2001 **PROGRAM CONTACT PERSON:** Jane Sacco, Acting Chief
Division of Community Support Services
410-767-1739

The amendments to Regulation .06 under COMAR 10.09.12 Disposable Medical Supplies/Durable Medical Equipment have been adopted as proposed. The text of the proposed amendments was included with Medical Supplies and Equipment Transmittal No. 52, dated October 19, 2001, and was published in the Maryland Register on December 28, 2001, (Vol. 28, Issue 26).

These amendments eliminate the preauthorization requirement for disposable incontinence pants for recipients aged three years and older when they do not exceed 240 in any thirty day period, and disposable incontinence under pads for recipients aged three years and older when they do not exceed 135 in any thirty day period.

All other regulatory requirements found in COMAR 10.09.12 remain in force.

The adopted amendments, as printed in the Maryland Register are attached.

Attachment

Final Action On Regulations

For information concerning Final Action on Regulations, see inside front cover.

Symbol Key

Roman type indicates text already existing at the time of the proposed action. *Italic type* indicates new text added at the time of proposed action. A single underline indicates text added at the time of final action. [Single brackets] indicate deleted text. [[Double brackets]] indicate text deleted at the time of final action.

Title 09 DEPARTMENT OF LABOR, LICENSING, AND REGULATION

Subtitle 13 BOARD FOR PROFESSIONAL LAND SURVEYORS

09.13.08 *Continuing Professional Compe- Requirements*

Authority: *Business Occupations and Professions Article, §15-314D,*
Annotated Code of Maryland

Notice of Final Action (01-301-F)

On November 7, 2001, the Board for Professional Land Surveyors adopted new Regulations .01 — .14 under a new chapter, COMAR 09.13.08 **Continuing Professional Competency Requirements**. This action, which was proposed for adoption in 28:19 Md. R. 1720 — 1724 (September 13, 2001), has been adopted with the nonsubstantive change shown below.
Effective Date: January 7, 2002.

Attorney General's Certification

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

Regulation .07H(2): The words "and upon approval by the Board" in the second line are deleted. This change clarifies that in accordance with the intent of the entire chapter, the Board will not undertake individual approval of courses, but instead will delegate the approval of providers to the CPC Standards Committee. The change does not substantively change the meaning of the regulation and only clarifies its intent.

.07 Determination of Units' Value.

The conversion of other units of credit to CPC units is as follows:

A. — G. (proposed text unchanged)

H. *Except for full-time faculty, teaching of land surveying and related subjects, subject to the following limitations:*

(1) *(proposed text unchanged)*

(2) *Unless the course had been substantially modified and updated [[and upon approval by the Board]] for the second and subsequent presentations, a presenter may claim a credit for the Category B program only, provided that the presenter may not claim more than half of the number of*

CPC units awarded by the Board to the program presented by the same presenter.

CHARLES E. MALOY
Chairman

Board for Professional Land Surveyors

Subtitle 24 BOARD OF PUBLIC ACCOUNTANCY

09.24.01 General Regulations

Authority: *Business Occupations and Professions Article, §§2-207 and 2-307,*
Annotated Code of Maryland

Notice of Final Action (01-217-F)

On October 4, 2001, the Board of Public Accountancy adopted amendments to Regulation .09 under COMAR 09.24.01 **General Regulations**. This action, which was proposed for adoption in 28:14 Md. R. 1334 — 1335 (July 13, 2001), has been adopted as proposed.
Effective Date: January 7, 2002.

ALICIA J. FOSTER
Chair

Board of Public Accountancy

Title 10 DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Subtitle 09 MEDICAL CARE PROGRAMS 10.09.12 Disposable Medical Supplies and Du- rable Medical Equipment

Authority: *Health-General Article, §§2-104(b), 15-103, 15-106, and 15-129,*
Annotated Code of Maryland

Notice of Final Action (01-352-F)

On December 5, 2001, the Secretary of Health and Mental Hygiene adopted amendments to Regulation .06 under COMAR 10.09.12 **Disposable Medical Supplies and Durable Medical Equipment**. This action, which was

proposed for adoption in 28:21 Md. R. 1859 (October 19, 2001), has been adopted as proposed.

Effective Date: January 7, 2002.

GEORGES C. BENJAMIN, M.D.
Secretary of Health and Mental Hygiene

**Subtitle 28 BOARD OF EXAMINERS IN
OPTOMETRY**

10.28.15 Compelling Purpose Disclosure

Authority: Health Occupations Article, §11-205;
State Government Article, §10-617(h)(3),
Annotated Code of Maryland

Notice of Final Action
[01-342-F]

On December 6, 2001, the Secretary of Health and Mental Hygiene adopted new Regulations .01 — .03 under a new chapter, COMAR 10.28.15 **Compelling Purpose Disclosure**. This action, which was proposed for adoption in 28:21 Md. R. 1869 (October 19, 2001), has been adopted as proposed.

Effective Date: January 7, 2002.

GEORGES C. BENJAMIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 29 BOARD OF MORTICIANS

10.29.05 Continuing Education

Authority: Health Occupations Article, §§7-205 and 7-314(c)(4),
Annotated Code of Maryland

Notice of Final Action
[01-347-F]

On December 10, 2001, the Secretary of Health and Mental Hygiene adopted amendments to Regulation .05 under COMAR 10.29.05 **Continuing Education**. This action, which was proposed for adoption in 28:21 Md. R. 1869 — 1870 (October 19, 2001), has been adopted as proposed.

Effective Date: January 7, 2002.

GEORGES C. BENJAMIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 29 BOARD OF MORTICIANS

10.29.09 Requirements for Apprenticeship

Authority: Health Occupations Article, §§7-205, 7-305, and 7-306,
Annotated Code of Maryland

Notice of Final Action
[01-351-F]

On December 10, 2001, the Secretary of Health and Mental Hygiene, adopted amendments to Regulations .02 — .05, .07 and 10 — .12 under COMAR 10.29.09 **Requirements for Apprenticeship**. This action, which was proposed for

adoption in 28:21 Md. R. 1870 — 1872 (October 19, 2001), has been adopted as proposed.

Effective Date: January 7, 2002.

GEORGES C. BENJAMIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 29 BOARD OF MORTICIANS

10.29.13 Rehabilitation Committee

Authority: Health Occupations Article, §§7-205 and 7-408,
Annotated Code of Maryland

Notice of Final Action
[01-344-F]

On December 10, 2002, the Secretary of Health and Mental Hygiene adopted new Regulations .01 — .04 under a new chapter, COMAR 10.29.13 **Rehabilitation Committee**. This action, which was proposed for adoption in 28:21 Md. R. 1872 — 1873 (October 19, 2001), has been adopted as proposed.

Effective Date: January 7, 2002.

GEORGES C. BENJAMIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 34 BOARD OF PHARMACY

10.34.27 Compelling Purpose Disclosure

Authority: Health Occupations Article, §12-205(a)(3);
State Government Article, §10-617(h)(3);
Annotated Code of Maryland

Notice of Final Action
[01-341-F]

On December 7, 2001, the Secretary of Health and Mental Hygiene adopted new Regulations .01 and .02 under a new chapter, COMAR 10.34.27 **Compelling Purpose Disclosure**. This action which was proposed for adoption in 28:21 Md. R. 1873 — 1874 (October 19, 2001), has been adopted as proposed.

Effective Date: January 7, 2002.

GEORGES C. BENJAMIN, M.D.
Secretary of Health and Mental Hygiene

**Subtitle 41 BOARD OF EXAMINERS FOR
AUDIOLOGISTS, HEARING AID DISPENSERS,
AND SPEECH-LANGUAGE PATHOLOGISTS**

10.41.10 Compelling Purpose Disclosure

Authority: Health Occupations Article, §2-205,
State Government Article, §10-617(h)(3);
Annotated Code of Maryland

Notice of Final Action
[01-343-F]

On December 6, 2001, the Secretary of Health and Mental Hygiene adopted new Regulations .01 — .03 under a new