



Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

**Maryland Medical Assistance Program
General Provider Transmittal No. 97
July 15, 2024**

TO: All Providers

FROM: 
Tricia Roddy, Deputy Medicaid Director
Maryland Medicaid

RE: Policy Clarification – Four Walls Requirement Termination

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

This transmittal provides clarification to previous guidance provided by the Maryland Department of Health (the Department) in [PT 56-23 Public Health Emergency Unwinding](#).

This transmittal clarifies that the termination of authority applied to all freestanding clinics, including Outpatient Mental Health Clinics (OMHCs), participating in the Maryland Medicaid program. Clinics may not bill for services in which both the practitioner and patient are in their homes at this time.

During the COVID-19 Public Health Emergency (PHE), the Centers for Medicare and Medicaid Services (CMS) granted the Department a §1135 waiver permitting services provided via telehealth from clinic practitioners' homes (or another location) to be considered to be provided at the clinic for purposes of 42 C.F.R. §440.90(a). Under this authority, all freestanding clinics participating in the Maryland Medicaid program, including OMHCs or School Based Health Centers (SBHCs), were permitted to receive Medicaid reimbursement for services rendered if both the practitioner and the patient are in their homes for the duration of the federal government's declared PHE. The waiver had a retroactive effective date of March 1, 2020. The waiver terminated on May 11, 2023, aligning with the end of the PHE.

On October 25, 2023, the Department submitted an §1115 waiver amendment requesting to continue the Four Walls Requirement authority to allow clinics to bill telehealth services at the standard rates. This amendment is pending approval. If approved, the Department will issue an updated policy transmittal.

Please direct questions regarding this transmittal to mdh.providerenrollment@maryland.gov.