**PROPOSAL**

**Maryland Register**

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**Title 10
MARYLAND DEPARTMENT OF HEALTH**

**Subtitle 09 MEDICAL CARE PROGRAMS**

**10.09.89 1915(i) Intensive Behavioral Health Services for Children, Youth, and Families**

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

**Notice of Proposed Action**

[19-265-P]

     The Secretary of Health proposes to amend Regulations **.09—.12** under **COMAR 10.09.89** **1915(i) Intensive Behavioral Health Services for Children, Youth, and Families**.

**Statement of Purpose**

The purpose of this action is to implement a 3.5 percent rate increase in accordance with the Fiscal Year (FY) 2020 State budget, effective July 1, 2019.

**Comparison to Federal Standards**

There is no corresponding federal standard to this proposed action.

**Estimate of Economic Impact**

**I. Summary of Economic Impact.**As provided in the FY 2020 budget and required by the Heroin and Opioid Prevention Effort (HOPE) and Treatment Act of 2017, the proposed action implements a 3.5 percent rate increase for 1915(i) providers. The total impact for FY 2020 is $5,792.

|  |  |  |
| --- | --- | --- |
|   | Revenue (R+/R-) |   |
| **II. Types of Economic Impact.** | Expenditure(E+/E-) | Magnitude |
|   |  |
|  |  |  |
| A. On issuing agency: | (E+) | $5,792 |
| B. On other State agencies: | NONE |  |
| C. On local governments: | NONE |  |
|   |
|   | Benefit (+)Cost (-) | Magnitude |
|   |  |
|  |  |  |
| D. On regulated industries or trade groups: | (+) | $5,792 |
| E. On other industries or trade groups: | NONE |  |
| F. Direct and indirect effects on public: | NONE |  |
| **III. Assumptions.** (Identified by Impact Letter and Number from Section II.) |
| A. (1) In FY 2020, the 1915(i) program will serve 30 children. This amount assumes FY 2019 actual utilization (30 participants) will continue.(2) Total expenditures for 1915(i) services in FY 2019 are equal to per-person expenditures in FY 2018, plus a 3.5 percent rate increase, for 30 participants.(3) Total estimated expenditures for 1915(i) services in FY 2020 are equal to per-person expenditures in FY 2019, plus a 3.5 percent rate increase, for 30 participants.(4) The difference between the FY 2020 and FY 2019 reimbursement amounts equates to an expenditure increase of $5,792 in FY 2020. This amount is subject to a 61.49 percent federal match ($3,562 federal funds, $2,230 general funds). |
| D. See A above. |

**Economic Impact on Small Businesses**

The proposed action has a meaningful economic impact on small business. An analysis of this economic impact follows.

This proposal meaningfully impacts 1915(i) providers by providing a 3.5 percent reimbursement rate increase.

**Impact on Individuals with Disabilities**

The proposed action has no impact on individuals with disabilities.

**Opportunity for Public Comment**

Comments may be sent to Jake Whitaker, Acting Director, Office of Regulation and Policy Coordination, Maryland Department of Health, 201 West Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499 (TTY 800-735-2258), or email to mdh.regs@maryland.gov, or fax to 410-767-6483. Comments will be accepted through February 3, 2020. A public hearing has not been scheduled.

**.09 Covered  Services— Family Peer Support Services.**

Family peer support services:

A.—E. (text unchanged)

F. Effective **[**July 1, 2017**]***July 1, 2019*,are reimbursed at the following rates:

(1) **[**$16.62**]** *$17.80*per 15 minute unit for face-to-face services; or

(2) **[**$8.30**]** *$8.89*per 15 minute unit for telephonic or other non-face-to-face activities.

**.10 Covered Services— Respite Services.**

Respite services:

A.—D. (text unchanged)

E. Effective **[**July 1, 2017**]** *July 1, 2019*, are reimbursed at the following rates:

(1) **[**$26.18**]** *$28.04* per **[**one hour**]** *1-hour*unit of service for community-based respite services; or

(2) **[**$207.50**]** *$222.28* per unit of out-of-home respite care.

**.11 Covered Services — Expressive and Experiential Behavioral Services.**

A.—B. (text unchanged)

C. Reimbursement. Effective **[**July 1, 2017**]***July 1, 2019*, reimbursement for services described in this regulation shall be as follows:

(1) For individual therapy provided by a:

(a) Licensed mental health professional at a rate of:

(i) **[**$71.17**]** *$76.24*per 45—50 minute session; or

(ii) **[**$93.24**]** *$99.88*per 75—80 minute session;

(b) Non-licensed mental health professional at a rate of:

(i) **[**$64.70**]** *$69.31*per 45-minute session; or

(ii) **[**$84.12**]** *$90.11*per 75—80 minute session; and

(2) For group therapy provided by a:

(a) Licensed mental health professional at a rate of:

(i) **[**$28.30**]** *$30.31*per 45—60 minute session; or

(ii) **[**$36.79**]** *$39.41*per prolonged (75—90 minute) session;

(b) Non-licensed mental health professional at a rate of:

(i) **[**$25.14**]** *$26.93*per 45—60 minute session; or

(ii) **[**$32.68**]** *$35.01*per prolonged (75—90 minute) session.

**.12 Covered Services —Intensive In-Home Services.**

A.—E. (text unchanged)

F. Effective **[**July 1, 2017**]***July 1, 2019*,reimbursement for IIHS services shall be provided at the rate of:

(1) **[**$258.96**]** *$277.40*per week of service for EBP-IIHS providers; or

(2) **[**$205.45**]** *$220.08*per week of service for non-EBP-IIHS providers

ROBERT R. NEALL
Secretary of Health