

10.45.05.03

### **.03 Qualification under Health-General Article, §19-2101(c)(2), Annotated Code of Maryland — Access Services.**

A. To qualify as a community health resource pursuant to this regulation and Health-General Article, §19-2101(c)(2), Annotated Code of Maryland, a person shall demonstrate that the person:

(1) Is a nonprofit or for-profit health care center or program;

(2) Offers access services that:

(a) Directly assist low-income, uninsured, or underinsured individuals to gain access to reduced-price clinical health care services; and

(b) May include, but are not limited to:

(i) Coordination of patients' health care;

(ii) Case management services; and

(iii) Transportation of patients to and from medical appointments; and

(3) Offers access services, as described in §A(2) of this regulation:

(a) Without regard to an individual's ability to pay;

(b) In accordance with a sliding scale fee schedule that is consistent with the guidelines set forth in Regulation .05 of this chapter; and

(c) Primarily to Maryland residents from service sites located within the State.

B. Nonqualifying Services.

(1) Services not directly assisting patients to access clinical health care services are not access services and do not establish a person's qualification as a community health resource pursuant to this regulation and Health-General Article, §19-2101(c)(2), Annotated Code of Maryland.

(2) Examples of services that do not qualify as access services include, but are not limited to:

(a) Transportation to health fairs or wellness lectures;

(b) Mass mailings of health educational materials; or

(c) Promotional activities sponsored by health care providers.

C. To demonstrate qualification as a provider of access services, a person shall submit, on or before the date and time specified by the Commission, the information and documentation that the person meets the criteria set forth in §A of this regulation, including:

(1) A written statement that includes the applicant's name, the addresses of all its service locations, and a description of how the applicant meets the requirements of §A of this regulation;

(2) A copy of the applicant's written procedures for consistent application of the applicant's policies concerning its:

(a) Sliding scale fee schedule; and

(b) Provision of services regardless of a patient's ability to pay;

(3) A list of services offered by the applicant;

(4) A calculation of the proportion of patients served by the applicant who are Maryland residents; and

(5) Upon the Commission's request, any additional information the Commission requires to complete its determination.

D. The Commission shall determine that a person does not qualify as a community health resource under this regulation if:

(1) Except when the Commission requests additional information or materials pursuant to COMAR 10.45.08.01G, the person does not submit to the Commission, on or before the date and time specified by the Commission, the documentation required by §C of this regulation;

(2) The Commission requests additional information or materials pursuant to COMAR 10.45.08.01G, and:

(a) The person does not submit the information or materials requested by the Commission within the time allowed; or

(b) The additional information and material submitted by the person do not establish the person's qualification as a community health resource; or

(3) The Commission determines that the person does not meet the qualification criteria specified in §A of this regulation.