

MMAC REGULATIONS REPORT
March 2019

COMAR	TITLE	PURPOSE	AELR DATE	DATE OF 1 ST PRINTING IN MD REG	30-DAY COMMENT PERIOD: COMMENTS REC'D?	DATE OF FINAL PRINT IN MD. REG.	APPROVED (10 DAYS AFTER FINAL)
10.09.93	Chronic Hospitals	The purpose of this proposal is to clarify the definition of “chronic hospital” as not a “long term care facility” for purposes of Medicaid reimbursement, consistent with federal regulation; to clarify the nature and frequency of rehabilitation services provided by a chronic hospital; and to establish a new period for concurrent review of the continued medical necessity of a recipient’s chronic hospital services.	12/7/18	2/1/19	2/1/19—3/4/19 NOFA submitted		
10.09.28	ABA Services	The purpose of this proposal is to update the definitions, service descriptions, and rates associated with Applied Behavioral Analysis (ABA) Services to reflect the American Medical Association’s (AMA) published code revisions, which will go into effect January 1, 2019.	12/7/18	1/18/19	1/18/19—2/19/19 Final AAA submitted		
10.09.08	Freestanding Clinics	The purpose of this action is to amend the date that rate revisions are effective for FQHCs that are approved for a change of scope through HRSA.	12/7/18	1/18/19	1/18/19—2/19/19 NOFA submitted		
10.09.69	MMMCP: REM	The purpose of this proposal is to correct a reference to the chapter regarding an individual’s right to appeal an MCO’s determination, implement a 3 percent rate increase for services under this chapter in accordance with the State’s budget for Fiscal Year 2019, and incorporate a new REM diagnosis code.	12/7/18	1/18/19	1/18/19—2/19/19 Final AAA submitted		
10.09.70	Non-capitated Covered Services	The purpose of this action is to update the list of carved out behavioral health diagnosis codes, to reflect updates made to the International Classification of Diseases, 10th Revision (ICD 10) codes.	12/7/18	1/18/19	1/18/19—2/19/19 NOFA submitted		
10.09.07; .61	Adult Medical Day Care	The purpose of this action is to allow nurse practitioners and physician assistants, as well as physicians, to act as primary care providers and issue medical orders for medical day care services. The proposal also revises social worker duties and clarifies that providers may not bill for services for a number of participants that exceeds the provider’s licensed capacity on a given day.	12/10/18	1/18/19	1/18/19—2/19/19 NOFA submitted		
10.09.24.0 2, .03, and .08-2	Medical Assistance Eligibility	The purpose of this proposal is to make the following amendments in order to comply with federal Medicaid requirements: (1) Define the term “postpartum period”; (2) Clarify eligibility criteria for transitional Medical Assistance coverage for low-income parents and caretaker relatives; (3) Add language to explain continuous eligibility for pregnant women; and (4) Clarify that a participant may establish his or her own Special Needs Trust.	11/13/18	12/21/18	12/21/18—1/22/19 NOFA submitted		

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10.01.04	Fair Hearing	The purpose of this action is to update the Department's fair hearing regulations, which set forth the criterion for determining whether a Medicaid applicant's fair hearing appeal will be granted (30—45 day cleanup).	10/4/18	11/26/18	11/26/18—12/26/18 NOFA submitted		
10.09.10	Nursing Facilities	The purpose of this action is to implement a 3 percent rate increase for nursing facility services in accordance with the State's budget for Fiscal Year 2019. In addition, the Interim Working Capital Fund will be extended for 1 year.	9/28/18	11/9/18	11/9/18—12/10/18 NOFA submitted		
10.09.05	Dental Services	The purpose of this proposal is to outline parameters for coverage of certain medically necessary dental services for dual-eligible participants ages 21 through 64, pursuant to Senate Bill 284, Maryland Medical Assistance Program- Dental Coverage for Adults, 2018.	11/28/18	1/4/19	1/4/19—2/4/19 NOFA submitted		
10.09.07; .20; .27; .53; .54; .56; and .84	Home and Community-Based Services	The purpose of this action is to implement a 3 percent rate increase for services under these chapters in accordance with the State's budget for Fiscal Year 2019 and to update the indexing methodology for subsequent rate increases. This action will also implement consistent policies for maintaining fee schedules and revise an incorrect citation.	8/29/18	11/9/18	11/9/18—12/10/18 NOFA submitted		