

MARYLAND MEDICAID ADVISORY COMMITTEE

DATE: Thursday, April 28, 2022
TIME: 1:00 - 3:00 p.m.
LOCATION: GoToWebinar

Due to COVID-19, this meeting will be held through GoToWebinar only.

Please register for MMAC Meeting on April 28, 2022 1:00 p.m. EST at:

<https://register.gotowebinar.com/register/6139159875916123407>

After registering, you will receive a confirmation email containing information about joining the webinar.

Those who would like to make public comment should email Ms. Claire Gregory at, Claire.Gregory@maryland.gov or use the question feature to submit questions to the host.

AGENDA

- I. Departmental Report
- II. Legislative Update
- III. American Rescue Plan Act (ARPA) Spending Plan Updates
- IV. Annual Dental Update
- V. Waiver, State Plan and Regulations Changes
- VI. Public Comments
- VII. Adjournment

Next Meeting: Thursday, May 26, 2022, 1:00 – 3:00 p.m.

Staff Contact: Ms. Claire Gregory
Claire.Gregory@maryland.gov

**MARYLAND MEDICAID ADVISORY COMMITTEE
MINUTES**

March 28, 2022

MEMBERS PRESENT:

Mr. Kenneth Garove
Adeteju Ogunrinde, M.D
Ms. Shannon Hall
Rachel Dodge, M.D.
Ms. Jessica Dickerson
Ms. Vickie Walters
Ms. Nicole McCann
Ms. Nora Hoban
Ms. Linda Dietsch
Ms. Diane McComb
Kathryn Fiddler, DNP
Mr. Paul Miller
Mr. Ben Steffen
Ms. Marie McLendon
Ms. Erin Dorrien

MEMBERS ABSENT:

The Hon. Pat Young
The Hon. Antonio Hayes
The Hon. J.B. Jennings
The Hon. Matthew Morgan
Mr. William Webb
Winifred Booker, D.D.S
Mr. Floyd Hartley
The Hon. Joseline Peña-Melnyk

Maryland Medicaid Advisory Committee

March 28, 2022

Call to Order and Approval of Minutes

Ms. Vickie Walters, Interim Chair, called to order the meeting of the Maryland Medicaid Advisory Committee (MMAC) at 1:05 p.m. Committee members approved the minutes from the February 28, 2022 meeting as written. Ms. Edith Perry attended the meeting for Delegate Joseline Peña-Melnyk.

Departmental Report and COVID-19 Updates

Ms. Tricia Roddy, Deputy Medicaid Director, provided the Committee with a combined Departmental report and COVID-19 update.

The federal public health emergency (PHE) is currently in effect until April 16, 2022. The conversation taking place at the national level is that the federal public health emergency will be renewed one more time. This will take us through mid-July 2022. The belief among states is this would be the last renewal. This is consistent with the direction and conversations happening with the Centers for Medicare and Medicaid Services (CMS). There are a number of meetings with CMS that focus on the unwinding of the PHE.

Maryland is receiving an additional 10 percent match for home and community-based services under ARPA. The Department is required to submit a spending plan to CMS on how we are going to reinvest those additional federal dollars back into the program. We submitted our latest spending plan on February 1, 2022. The new item included in that spending plan was the coverage of Peer Recovery Specialists under the Medicaid Program. We have not heard back from CMS yet. Once we hear back, we will begin implementation.

Effective April 1, 2022, pregnant women will now be eligible for 12 weeks post-partum coverage. During this postpartum period, women will receive full benefits. Currently pregnant women are eligible for sixty days post-partum coverage and then they are disenrolled unless they are covered by another eligibility category.

There are a lot of bills during this legislative session that impact Medicaid. We will be reviewing those later in the meeting.

Last week a supplemental budget came out from the Governor. Providers who are traditionally eligible for a statutory rate increase for Medicaid behavioral health, long-term care and developmental disabilities services are now eligible in that supplemental budget to receive an

additional 4 percent rate increase effective July 1, 2022. This is in addition to the already funded statutory increase.

Legislative Update

Mr. Chris Coats, Health Policy Analyst, Office of Innovation, Research and Development, gave the Committee an update on the current 2022 legislative session.

There are two weeks left to the session and crossover was last Monday with a lot of bills passing out of their house of origin and are scheduled for hearings in the opposite house.

This year's budget bill, SB 290, has passed both houses but there are differences between the two versions that passed so they are busy appointing members for the conference committee that is going to hash out those differences. They are required to pass the budget by next Monday, April 4, 2022 and there is no indication that they won't meet that deadline.

Ms. Alyssa Brown, Director, Office of Innovation, Research and Development, highlighted some of the key bills the Department is monitoring (see attached chart):

There a couple of bills the Department has been watching that have been withdrawn or may not have moved forward during crossover.

- 1) **SB19/HB 229** – This is a new bill for our list. This would require the Department to cover the administration of injectable medications for treatment of STIs by pharmacists. Medicaid was written into this bill as part of amendments to the House bill.
- 2) **SB 323/HB 578** – As previously drafted, it would require the Department to eliminate prior authorization for certain OUD drugs and now there are some new reporting and communication requirements with providers for the Department included in amended language.
- 3) **SB 355** – Requires the Department to remove preauthorization requirements from both pre-exposure and post-exposure prophylaxis drugs for HIV and AIDS. This bill not only applies to Medicaid it applies to commercial insurers as well as some components related to the practice of pharmacists. The other HIV bill has some amended language as well at cross over that originally required post-exposure prophylaxis to individuals who may have been a victim of sexual assault. That sexual assault language has been edited out of the bill so now it is a comprehensive requirement to eliminate prior authorization requirements for post-exposure prophylaxis drugs for HIV and AIDS.
- 4) **SB 28/HB 80** –Requires the Department to start working towards clearing our waiver waiting list with certain requirements with respect to the number of mailings per month and the minimum number of slots the Department needs to maintain.
- 5) **SB 636/HB 1403** – There have been some changes to the bill language on the Senate side. As it was originally drafted the Department was obligated to identify plans to reduce the waitlist for each of eight waiver programs with a plan to implement those plans in FY24. There have been some changes to the language specifically for our Autism waiver which would essentially have us work through the full waitlist and offer

services to at least 50 percent of those who qualify after the waitlist is cleared. We anticipate that clearing the waitlist would fulfill that requirement.

- 6) **HB 44/SB 295** - This bill continues to move forward. Provisions we are monitoring are the increase of the reimbursement rate for EMS transporters at a rate of \$25 per year until it reaches \$300 per transport as well as the provision requiring coverage of mobile integrated health services at the same rate. There are some amendments that require some additional reports, one to be issued by the Department and MIEMMS in partnership on the adequacy of our rates for transports as well as a separate report by MIEMMS for emergency and non-emergency interfacility transports.
- 7) **HB 746/SB 682** – The original draft of this bill included very specific names of specific procedures. Amendments have removed those specific procedure names and has general categories. The amendment language would also prohibit the Department from categorically excluding any of these types of services.
- 8) **SB778/HB1080** – This bill would require the Department to cover medical care and other services for non-citizen pregnant women from prenatal through twelve months after delivery. These women don't qualify for coverage today although their newborn babies do and are provided coverage for twelve months. This bill would have a significant fiscal impact in addition to an administrative component to starting that coverage up.
- 9) The Department continues to monitor the adult dental bill.

Unwinding of COVID-19 PHE and Redeterminations

Ms. Debbie Ruppert, Executive Director, Office of Eligibility Services, gave the Committee a brief summary of how the Department will be addressing redeterminations when the PHE comes to an end (see attached presentation) and highlighted some of the successes achieved over the past two years.

The Department has been meeting with CMS over the past six months regarding what states can do to prepare for the end of the PHE and most of the initiatives they shared are things that we already have in place. We continued the renewals throughout the pandemic which has allowed us to be in continued contact with our recipients. Some of the proposals suggested we work with our managed care organization (MCO) partners. The Department is very connected to our MCO partners and many of the initiatives they recommended we have had in place for many years.

We have a large percentage of recipients in MCOs and share with our MCOs when renewals are due. The MCOs have outreach efforts in place to remind individuals that it is time for them to renew. We share data from the Maryland Health Connection and implement a process and notification system that ensures individuals receive consistent coverage.

Maryland has had a tremendous amount of success during the pandemic working with our partners across agencies to keep individuals connected and the Department is confident it is ready for the ending of the PHE.

Waiver, State Plan and Regulation Changes

Ms. Molly Marra, Director, Medicaid Provider Services, gave the Committee a status update on waivers, regulations and state plan amendment changes (see attached charts).

Public Comments

There were no public comments.

Adjournment

Ms. McCann adjourned the meeting at 1:50 p.m.