



Maryland Department of Health and Mental Hygiene

201 W. Preston Street • Baltimore, Maryland 21201

Martin O'Malley, Governor – Anthony G. Brown, Lt. Governor – John M. Colmers, Secretary

MARYLAND MEDICAL ASSISTANCE PROGRAM
MCO Transmittal No. 80
September 14, 2010

TO: Managed Care Organizations
Federally Qualified Health Centers

FROM: Susan J. Tucker, Executive Director
Susan J. Tucker
Office of Health Services

RE: Payment to Federally Qualified Health Centers for Unforeseen Illnesses

NOTE: Please ensure that the appropriate staff members in your organizations are informed of the content of this transmittal.

The United States Court of Appeals for the Fourth Circuit found that 42 U.S.C. §1396b(m)(2)(A)(vii) requires coverage of out-of-network health centers for services provided to a managed care organization's enrollees when such services are immediately required due to an unforeseen illness, injury, or condition. Therefore, for dates of service beginning October 1, 2010, the managed care organizations (MCOs) must begin paying for such services when rendered by any federally qualified health center (FQHC) that participates with the Maryland Medicaid Program but does not have a contract with the MCO. This coverage is only required for services provided on site at the FQHC.

To comply with this requirement while still preserving the managed care medical home model, the Department has established the following criteria:

1. It is the FQHC's responsibility to verify with the enrollee's primary care provider that the enrollee cannot be seen within a reasonable amount of time based on the severity of the enrollee's condition
2. The MCO may require the FQHC to provide documentation of #1 above.
3. The MCO may require the FQHC to provide documentation to verify that the diagnosis and services provided meet the definition of "immediately required due to an unforeseen illness, injury, or condition."

Please ensure that your MCO's claim system is appropriately configured to accurately adjudicate these claims and that appropriate staff is educated on this new requirement. If you have any questions about the information in this transmittal, please contact Diane Herr at 410-767-4248.

