




STATE OF MARYLAND

DHMH

Office of Health Services  
Medical Care ProgramsMaryland 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**  
**Medical Day Care Transmittal No. 64**  
**July 1, 2008**

TO: Medical Day Care Centers  
  
 FROM: Susan J. Tucker, Executive Director  
 Office of Health Services

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

RE: Fiscal Year 2009 Per Diem Rate

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The Maryland Medical Assistance Program is increasing reimbursement for medical day care services effective July 1, 2008. In accordance with the Program's proposed amendments to Regulation .08 under COMAR 10.09.07 Medical Day Care Services, the new rate for services provided on or after July 1, 2008 will be **\$72.91**. Services are covered under the new Medical Day Care Services Waiver. Medical day care has also become a covered waiver service under the following existing home and community-based services waivers: Older Adults, Living At Home, Traumatic Brain Injury, Model Waiver, Community Pathways and New Directions.

In accordance with COMAR 10.09.07.08E, the payment to a provider may not exceed the lesser of the per diem rate or a provider's customary charge to the general public. This means that a provider may not bill for the Medicaid per diem rate for any recipient if there are private pay participants for whom the provider charges less than the Medicaid per diem rate for the same service, unless based upon an approved sliding fee schedule. Providers who elect to use a sliding fee schedule should continue to follow the guidelines in Medical Day Care Transmittal No. 25, dated January 12, 1989. Regardless of whether a provider uses a sliding fee schedule, any provider who chooses to set its private charge below the Medicaid rate must bill Medicaid no more than its private charge.

Questions regarding this transmittal should be directed to the Medical Day Care Specialist at 410-767-1444.

cc: League for Excellence in Adult Day Care  
 Maryland Association for Adult Day Services