

State of ²¹ *Maryland*

**MEDICAL CARE POLICY ADMINISTRATION
DEPARTMENT OF HEALTH AND MENTAL HYGIENE**

201 WEST PRESTON STREET • BALTIMORE, MARYLAND 21201

Parris N. Glendening
Governor

Georges C. Benjamin, M.D.
Secretary

**MARYLAND MEDICAL ASSISTANCE PROGRAM
Personal Care Services Transmittal No. 37
June 30, 1999**

TO: Personal Care Case Monitoring Agencies
Personal Care Provider Agencies

FROM: Joseph M. Millstone, ^{JMM} Director
Medical Care Policy Administration

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

RE: Proposed Amendments to Personal Care Services Regulations

ACTION:
Proposed Regulations

WRITTEN COMMENTS TO:
Michele Phinney, 201 W. Preston St., Rm 538
Baltimore, Maryland 21201
Fax (410) 767-6483 or call
(410) 767-6499

PROGRAM CONTACT PERSON:
Douglas C. Sommers, Chief
Division of Long Term Care Services
(410) 767-1444

COMMENT PERIOD EXPIRES: July 19, 1999

The Maryland Medical Assistance Program has proposed amendments to Regulations .01, .03, .05 and .07 under COMAR 10.09.20 - Personal Care Services. The Department plans to promulgate them in accordance with State Government Article, §§10-101 - 10-126.

These proposed amendments will add the definition of institution, make a technical correction to one definition, revise the number of active cases a personal care services provider may serve during one day and clarify requirements for processing personal care service invoices.

The proposed amendments, as published in the Maryland Register, are attached.

JMM:mfd
Attachment

Statement of Purpose

The purpose of this action is to amend the fee schedule to reflect the increased cost of the Principles and Practice of Engineering examination booklets charged by the National Council of Examiners for Engineers and Surveyors, which is the provider of the national examination. The second component of the increase is a change in the per candidate test administration fee charged by the testing contractor, reflecting additional services to be provided by the contractor on behalf of the State.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed regulation.

Estimate of Economic Impact

I. Summary of Economic Impact. Exam fees for candidates taking the Fundamentals of Engineering exam will increase from \$71 to \$81. Exam fees for candidates taking the Principles and Practice of Engineering exam will increase from \$101 to \$126. All fees are paid directly to the testing contractor.

II. Types of Economic Impacts.

Revenue (R+R ⁻) Expenditure (E+E ⁻)	Magnitude
NONE	
NONE	
NONE	

- A. On issuing agency: NONE
- B. On other State agencies: NONE
- C. On local government: NONE

Benefit (+) Cost (-)	Magnitude
(-)	\$81 — \$126
NONE	
NONE	

- D. On regulated industries or trade groups: (-) \$81 — \$126
- E. On other industries or trade groups: NONE
- F. Direct and indirect effects on public: NONE

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

D. Exam applicants will expend either \$81 or \$126 in a 1-year period depending on which portion of the exam they need to pass.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Opportunity for Public Comment

Comments may be sent to Mary E. Mays, Executive Director, Board for Professional Engineers, 500 N. Calvert Street, Room 308, Baltimore, Maryland 21202-3651, or fax to (410) 333-6314, or call (410) 230-6262. Comments must be received by 5 p.m. on July 19, 1999.

Open Meeting

Final action on the proposed amendment will be considered by the Board for Professional Engineers during a public meeting to be held on August 18, 1999, at 10 a.m., 500 N. Calvert Street, Baltimore, Maryland 21202-3651.

.01 Examination Fees.

An applicant shall pay an application fee as follows:
The following amounts are to be paid directly to the National Council of Examiners of Engineers and Surveyors (NCEES) or its designee in connection with the testing services:

- (1) (text unchanged)
- (2) Principles and Practice [\$6

The following amount is to be paid directly to an examination/testing contractor designated by the Board in connection with the testing services [\$41] \$51.

SILVIN HOTZ
Chairman

Board for Professional Engineers

Title 10
DEPARTMENT OF
HEALTH AND MENTAL HYGIENE

Subtitle 09 MEDICAL CARE PROGRAMS
10.09.20 Personal Care Services

Authority: Health-General Article, §§2-104(b), 15-103, and 15-105, Annotated Code of Maryland

Notice of Proposed Action
(99-153-P)

The Secretary of Health and Mental Hygiene proposes to amend Regulations .01, .03, .05, and .07 under COMAR 10.09.20 Personal Care Services.

Statement of Purpose

The proposed amendments add the definition of institution, make a technical correction to one definition, revise the number of active cases a personal care provider may serve during 1 day, and clarify requirements for processing personal care service invoices.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed regulation.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Opportunity for Public Comment

Comments may be sent to Michele Phinney, Regulations Coordinator, Department of Health and Mental Hygiene, Room 521, 201 West Preston Street, Baltimore, Maryland 21201, or fax to (410) 333-7687, or call (410) 767-6499. These comments must be received by July 19, 1999.

.01 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) — (9) (text unchanged)

(9-1) "Institution" means an establishment that furnishes, in single or multiple facilities, food, shelter, and some treatment or services to four or more individuals unrelated to the proprietor.

(10) — (29) (text unchanged)

(30) "State-Only recipients" means those recipients in the Program administered and financed by the State who do not meet the technical requirements of Title XIX of the Social Security Act, for whom the State does not claim federal

financial participation[, and who are identified by an "S" on their Medical Assistance cards].

.03 Conditions for Participation.

A. To participate in the Program, the personal care provider shall:

- (1) — (10) (text unchanged)
- (11) Submit completed invoices to the case [monitor] monitoring agency for review and approval before submission to the Department for payment; and
- (12) (text unchanged)

B. To participate in the Program, the personal care provider agency shall:

- (1) — (3) (text unchanged)
- (4) Designate an individual who shall represent the agency in its interactions with the Department and with the case [monitor] monitoring agency and who shall:
 - (a) — (c) (text unchanged)
 - (d) Be available to give instructions and to answer questions during a normal working day[.], and
 - (e) Submit completed invoices to the case monitoring agency for review and approval before submission to the Department for payment;
- (5) — (6) (text unchanged)

C. — E. (text unchanged)

.05 Limitations.

A. (text unchanged)

B. A personal care provider may not render care to more than one active case in 1 day unless it is determined by the case monitor that the requirements in the recipients' plans of personal care will not be jeopardized by that arrangement, subject to the following conditions:

- (1) The provider may render care to not more than [four] five recipients who require Level 1 personal care services in 1 day;
- (2) The provider may render care to not more than [two] three recipients who require Level 1 personal care services and one recipient who requires Level 2 personal care services in 1 day;
- (3) The provider may render care to not more than two recipients who require Level 2 personal care services [in one day] and one recipient who requires Level 1 personal care services in 1 day;
- (4) (text unchanged)

C. — D. (text unchanged)

E. The Program does not cover services provided to recipients who reside in homes:

- (1) Which are institutions with a registered or licensed capacity of four or more beds; or
- (2) Where another public program or agency is obligated to financially support personal care services.

.07 Payment Procedures.

A. Requests for Payment.

- (1) — (3) (text unchanged)
- (4) Only the case monitoring agency shall submit all billings for payment of Personal Care services, whether electronic or hard copy.

B. — E. (text unchanged)

GEORGES C. BENJAMIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 25 HEALTH CARE ACCESS AND COST COMMISSION
10.25.06 Maryland Medical Care Data Base and Data Collection

Authority: Health-General Article, §§19-1502, 19-1507, 19-1511, and 19-1513,
Annotated Code of Maryland

Notice of Proposed Action
(99-149-P-1)

The Health Care Access and Cost Commission proposes to amend Regulations .01-1, .02, .06, .07, and .10 — .13, under COMAR 10.25.06 Maryland Medical Care Data Base Data Collection.

These amendments were approved at an open meeting of the Health Care Access and Cost Commission on November 5, 1998, in the Metro Building, 4201 Patterson Avenue, Room 108, Baltimore, Maryland 21215.

Statement of Purpose

The purpose of this action is to make technical changes to existing regulations governing the submission of health care claims and encounters to the Health Care Access and Cost Commission, incorporated by reference a technical document to be used by payers in preparing their data submission to the Health Care Access and Cost Commission, and modify existing file formats or data elements values so that the information can be more efficiently submitted by payers and more effectively used by HCACC

Comparison to Federal Standards

There is no corresponding federal standard to this proposed regulation.

Estimate of Economic Impact

I. Summary of Economic Impact. This action contains technical changes which have no economic impact. The amendments delay the requirement that payers submit to HCACC pharmacy data. This should create a small economic benefit for payers.

II. Types of Economic Impacts	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	NONE	
B. On other State Agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+)	Magnitude
	Cost (-)	
D. On regulated industries or trade groups:	(+)	Minimal
E. On other Industries or trade groups:	NONE	
F. Direct and indirect effects on public:	NONE	

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

D. Delay of the requirements that payers submit HCACC pharmacy data should create a small economic benefit.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses

Opportunity for Public Comment

Comments may be sent to John M. Colmers, Executive Director, Health Care Access and Cost Commission, 4201