

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1460 (Delegate Hayes, *et al.*)
Health and Government Operations

Maryland Medical Assistance Program – Proton Therapy Treatment Services

This bill requires Medicaid, subject to the limitations of the State budget and as allowed by federal law, to provide proton therapy treatment services to Medicaid recipients diagnosed with cancer.

Fiscal Summary

State Effect: The Maryland Department of Health (MDH) advises that Medicaid currently provides coverage for proton therapy subject to clinical criteria and prior authorization, as discussed below. Thus, any impact under the bill is anticipated to be minimal.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Medicaid generally covers children, pregnant women, elderly or disabled individuals, low-income parents, and childless adults. To qualify for Medicaid, applicants must pass certain income and asset tests. Effective January 1, 2014, Medicaid coverage was expanded to persons with household incomes up to 138% of federal poverty guidelines (FPG), as authorized under the federal Patient Protection and Affordable Care Act. The Maryland Children’s Health Program (MCHP) is Maryland’s name for medical assistance for low-income children. MCHP provides all the same services as Medicaid. A premium of about 2% of family income is required of child participants with family incomes above 200% FPG. In fiscal 2018, there are 1.2 million individuals enrolled in Medicaid and approximately 146,400 children enrolled in MCHP.

Medicaid funds a broad range of services. The federal government mandates that the State provide nursing facility services; hospital inpatient and outpatient services; x-ray and laboratory services; early and periodic screening, diagnosis, and treatment services for children; family planning services; transportation services; physician care; federally qualified health center and rural health clinic services; and some nurse practitioner services. The federal government also allows optional services that Maryland provides, including vision care, podiatric care, pharmacy, medical supplies and equipment, intermediate-care facilities for the developmentally disabled, and institutional care for people over age 65 with mental diseases.

Background: According to the Mayo Clinic, proton therapy is a type of radiation therapy that uses high-energy beams to treat tumors. Proton therapy is an established type of radiation therapy that uses energy from positively charged particles called protons. Proton therapy has shown promise in treating several kinds of cancer. Studies have suggested that proton therapy may cause fewer side effects than traditional radiation, since doctors can better control where the proton beams deposit their energy.

The Maryland Proton Treatment Center (MPTC), affiliated with the University of Maryland Marlene and Stewart Greenbaum Comprehensive Cancer Center, is currently the only facility in the State that provides proton therapy. According to MPTC, in at least 20% to 30% of cases, proton therapy shows significant advantages over other forms of radiation therapy.

State Effect: Although MDH advises that Medicaid provides coverage for proton therapy through both managed care organizations (MCOs) and fee-for-service, in practice, clinical criteria (such as the specific disease site and specific patient conditions such as age or prior radiation exposure) and prior authorization requirements vary significantly among MCOs. Thus, the number of Medicaid enrollees who *receive* coverage for this service varies.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland Proton Treatment Center; Maryland Department of Health; Department of Legislative Services

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