

MARYLAND REGISTER

# Proposed Action on Regulations

<b>Transmittal Sheet</b>  <b>PROPOSED OR REPROPOSED</b>  <b>Actions on Regulations</b>	<b>Date Filed with AELR Committee</b>	<b>TO BE COMPLETED BY DSD</b>
	05/14/2015	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 6/26/2015

2. COMAR Codification

**Title Subtitle Chapter Regulation**

10	09	65	03
10	09	67	04, .07 and .27
10	09	69	17
10	09	72	06

3. Name of Promulgating Authority

Department of Health and Mental Hygiene

4. Name of Regulations Coordinator

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**5. Name of Person to Call About this Document**

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**6. Check applicable items:**

- New Regulations

- Amendments to Existing Regulations

Date when existing text was downloaded from COMAR online: April 6, 2015.

- Repeal of Existing Regulations

Recodification

Incorporation by Reference of Documents Requiring DSD Approval

Reproposal of Substantively Different Text:

: Md. R

(vol.) (issue) (page nos) (date)

Under Maryland Register docket no.: --P.

**7. Is there emergency text which is identical to this proposal:**

Yes - No

**8. Incorporation by Reference**

Check if applicable: Incorporation by Reference (IBR) approval form(s) attached and 18 copies of documents proposed for incorporation submitted to DSD. (Submit 18 paper copies of IBR document to DSD and one copy to AELR.)

**9. Public Body - Open Meeting**

OPTIONAL - If promulgating authority is a public body, check to include a sentence in the Notice of Proposed Action that proposed action was considered at an open meeting held pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.

OPTIONAL - If promulgating authority is a public body, check to include a paragraph that final action will be considered at an open meeting.

**10. Children's Environmental Health and Protection**

Check if the system should send a copy of the proposal to the Children's Environmental Health and Protection Advisory Council.

**11. Certificate of Authorized Officer**

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by David Lapp, Assistant Attorney General, (telephone #410-767-5292) on April 22, 2015. A written copy of the approval is on file at this agency.

**Name of Authorized Officer**

Van T. Mitchell

**Title**

**Telephone No.**

Secretary

410-767-6500

**Date**

May 14, 2015

**Title 10**  
**DEPARTMENT OF HEALTH AND MENTAL HYGIENE**

**Subtitle 09 MEDICAL CARE PROGRAMS**

**10.09.65 Maryland Medicaid Managed Care Program: Managed Care Organizations**

**Subtitle 09 MEDICAL CARE PROGRAMS**

**10.09.67 Maryland Medicaid Managed Care Program: Benefits**

**Subtitle 09 MEDICAL CARE PROGRAMS**

**10.09.69 Maryland Managed Care Program: Rare and Expensive Case Management**

**Subtitle 09 MEDICAL CARE PROGRAMS**

**10.09.72 Maryland Medicaid Managed Care Program: Departmental Dispute Resolution Procedures**

Authority: See proposal.

**Notice of Proposed Action**

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The Secretary of Health and Mental Hygiene proposes to :

- 1) Amend Regulation .03 under COMAR 10.09.65 Maryland Medicaid Managed Care Program: Managed Care Organizations;
- 2) Amend Regulations .04, .07, and .27 under COMAR 10.09.67 Maryland Medicaid Managed Care Program: Benefits;
- 3) Repeal and adopt new Regulation .17 under COMAR 10.09.69 Maryland Managed Care Program: Rare and Expensive Case Management; and
- 4) Amend Regulation .06 under COMAR 10.09.72 Maryland Medicaid Managed Care Program: Departmental Dispute Resolution Procedures.

**Statement of Purpose**

The purpose of this action is to :

- 1) Remove outdated Value Based Purchasing (VBP) language;
- 2) Clarify that only over-the-counter emergency contraceptives are covered without a prescription;
- 3) Move coverage of transportation between hospitals from MCO limitations to MCO covered hospital services;
- 4) Update REM diagnosis codes to ICD10; and
- 5) Clarify that IRO decisions can be appealed by the MCO.

### **Comparison to Federal Standards**

There is no corresponding federal standard to this proposed action.

### **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.

### **Impact on Individuals with Disabilities**

The proposed action has no impact on individuals with disabilities.

### **Opportunity for Public Comment**

Comments may be sent to Michele Phinney, Director, Office of Regulation and Policy Coordination, Department of Health and Mental Hygiene, 201 West Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499; TTY:800-735-2258, or email to [dhmh.regs@maryland.gov](mailto:dhmh.regs@maryland.gov), or fax to 410-767-6483. Comments will be accepted through July 27, 2015. A public hearing has not been scheduled.

### **Economic Impact Statement Part C**

A. Fiscal Year in which regulations will become effective: FY 2016

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

C. If 'yes', state whether general, special (exact name), or federal funds will be used:

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

E. If these regulations have no economic impact under Part A, indicate reason briefly:

Changes are to clarify policy and remove obsolete language.

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

These regulations affect MCOs which are not small businesses.

G. Small Business Worksheet:

Attached Document:

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## Title 10

# DEPARTMENT OF HEALTH AND MENTAL HYGIENE

### Subtitle 09 MEDICAL CARE PROGRAMS

#### **10.09.65 Maryland Medicaid Managed Care Program: Managed Care Organizations**

Authority: Insurance Article, §15-112, 15-605, and 15-1008; Health-General Article, §2-104, 15-102.3, and 15-103; Annotated Code of Maryland

*10.09.65.03 (4/6/15)*

##### **.03 Quality Assessment and Improvement.**

A. An MCO shall have a continuous, systematic program designed to monitor, measure, evaluate, and improve the quality of health care services delivered to enrollees including individuals with special health care needs. At a minimum, the MCO shall:

- (1) (text unchanged)
- (2) Comply with all access and quality standards and levels of performance established by the Department including all standards for individuals with special health care needs in Regulations.04—[.11] .10 of this chapter; and
- (3) Be able to provide the Department with accurate information in areas including but not limited to:
  - (a)—(b) (text unchanged)
  - (c) Identification and management of individuals with special health care needs, including but not limited to:
    - (i)—(iii) (text unchanged)
    - [(iv)] Enrollees who require substance abuse treatment;]
    - [(v)] [(iv)]—[(vii)] [(vi)] (text unchanged)

B. An MCO shall participate in all quality assessment activities required by the Department in order to determine if the MCO is providing medically necessary enrollee health care. These activities include, but are not limited to:

- (1)—(2) (text unchanged)
- (3) The annual collection and evaluation of a set of performance measures with targets as determined by the Department as follows:
  - (a) The composition of the core performance measures are listed in [§B(3)(d) and (e)]§B(3)(d) of this regulation;
  - (b)—(c) (text unchanged)
  - [(d)] Effective January 1, 2013, the core performance measures are:
    - (i) Adolescent well care visits;
    - (ii) Ambulatory care for Supplemental Security Income (SSI) adults;
    - (iii) Ambulatory care for Supplemental Security Income (SSI) children;
    - (iv) Cervical cancer screening;

- (v) Diabetic eye exams;
- (vi) Childhood immunizations;
- (vii) Lead screening for children 12—23 months old;
- (viii) Postpartum care;
- (ix) Immunizations for adolescents; and
- (x) Well child visits, 3—6 years old;]

[(e)] (d) (text unchanged)

[(f)] Starting with the 2009 performance measures, the Department shall implement the following methodology for imposing penalties and incentives:

- (i) There shall be three levels of performance;
- (ii) Performance shall be evaluated separately for each measure, and each measure shall have equal weight;
- (iii) On any of the measures in §B(3)(d) of this regulation for which the MCO does not meet the minimum target, as determined by the Department, a penalty of 1/10 of 1 percent of the total capitation amount paid to the MCO during the measurement year shall be collected;

(iv) The total amount of the penalties as described in §B(3)(e)(iii) of this regulation may not exceed 1/2 of 1 percent of the total capitation amount paid to the MCO during the same measurement year;

(v) On any of the measures in §B(3)(d) of this regulation for which the MCO meets or exceeds the incentive target, as determined by the Department, the MCO shall be paid an incentive payment of up to 1/10 of 1 percent of the total capitation paid to the MCO during that measurement year;

(vi) The total amount of the incentive payments as described in §B(3)(e)(v) of this regulation paid to the MCOs each year may not exceed the total amount of the penalties as described in §B(3)(e)(iii) of this regulation collected from the MCOs in that same year, plus any additional funds allocated to the Department for a quality initiative; and

(vii) Any funds remaining after the payment of the incentives due under §B(3)(e)(v) of this regulation shall be distributed to the MCOs receiving the four highest normalized scores for Value Based Purchasing for all ten performance measures at a rate calculated by multiplying each MCO's adjusted enrollment as of December 31 of the measurement year by a per enrollee amount;

(g) The adjusted enrollment amount in §B(3)(e)(vii) of this regulation shall be calculated by:

- (i) Multiplying four times the enrollment of the MCO with the highest normalized score;
- (ii) Multiplying three times the enrollment of the MCO with the second highest normalized score;
- (iii) Multiplying two times the enrollment of the MCO with the third highest normalized score; and
- (iv) Using the actual enrollment of the MCO with the fourth highest normalized score;

(h) The per enrollee amount in §B(3)(e)(vii) of this regulation shall be calculated by dividing the sum of the calculations in §B(3)(f)(i)—(iv) of this regulation into the funds remaining as described in §B(3)(e)(vii) of this regulation;

(i) Starting with the 2012 performance measures, the Department shall use the same methodology as described §B(3)(e)(i)—(iii) and (v)—(vii) of this regulation for imposing penalties and incentives, except that the total amount of the penalties as described in §B(3)(e)(iii) of this regulation may not exceed 1 percent of the total capitation amount paid to the MCO during the same measurement year;

(j) Any penalty or capitation adjustment imposed under this section shall be in accordance with Regulation .19-5 of this chapter;]

[(k)] (e) Starting with the 2014 performance measures, the Department shall implement the following methodology for imposing penalties and incentives:

(i)—(ii) (text unchanged)

(iii) On any of the measures in [§B(3)(e)(i)—(xiii)] §B(3)(d)(i)—(xiii) of this regulation for which the MCO does not meet the minimum target, as determined by the Department, a penalty of 1/13 of 1 percent of the total capitation amount paid to the MCO during the measurement year shall be collected;

(iv) The total amount of the penalties as described in [§B(3)(k)(iii)] §B(3)(e)(iii) of this regulation may not exceed 1 percent of the total capitation amount paid to the MCO during the same measurement year;

(v) On any of the measures in [§B(3)(e)]§B(3)(d) of this regulation for which the MCO meets or exceeds the incentive target, as determined by the Department, the MCO shall be paid an incentive payment of up to 1/13 of 1 percent of the total capitation paid to the MCO during that measurement year;

(vi) The total amount of the incentive payments as described in [§B(3)(k)(v)] §B(3)(e)(v) of this regulation paid to the MCOs each year may not exceed the total amount of the penalties as described in [§B(3)(k)(iii)] §B(3)(e)(iii) of this regulation collected from the MCOs in that same year, plus any additional funds allocated to the Department for a quality initiative; and

(vii) Any funds remaining after the payment of the incentives due under [§B(3)(k)(v)]§B(3)(e)(v) of this regulation shall be distributed to the MCOs receiving the four highest normalized scores for Value Based Purchasing for all thirteen performance measures at a rate calculated by multiplying each MCO's adjusted enrollment as of December 31 of the measurement year by a per enrollee amount;

[(l)] (f) The adjusted enrollment amount in [§B(3)(k)(vii)] §B(3)(e)(vii) of this regulation shall be calculated by:

(i)—(iv) (text unchanged)

(v) On any of the measures in [§B(3)(e)] §B(3)(d)(i)—(xiii) of this regulation for which the MCO meets or exceeds the incentive target, as determined by the Department, the MCO shall be paid an incentive payment of up to 1/13 of 1 percent of the total capitation paid to the MCO during that measurement year;

[(m)] (g) The per enrollee amount in [§B(3)(k)(vii)] §B(3)(e)(vii) of this regulation shall be calculated by dividing the sum of the calculations in [§B(3)(l)(i)—(iv)] §B(3)(f)(i)—(iv) of this regulation into the funds remaining as described in [B(3)(k)(vii)] §B(3)(e)(vii) of this regulation;

(4)—(6) (text unchanged)

C. (text unchanged)

### 10.09.67 Maryland Medicaid Managed Care Program: Benefits

Authority: Health-General Article, Title 15, Subtitle 1, Annotated Code of Maryland

10.09.67.04 (4/6/15)

#### .04 Benefits — Pharmacy Services.

A.—B. (text unchanged)

C. An MCO shall provide *over-the-counter* emergency contraceptives and latex condoms to enrollees without requiring an order from an authorized prescriber.

D.—J. (text unchanged)

10.09.67.07 (4/6/15)

#### .07 Benefits — Inpatient Hospital Services.

A.—H. (text unchanged)

I. *Transports between hospitals are covered by the MCO when:*

- (1) *A medically necessary covered service is not available at the hospital where an enrollee is being treated; and*
- (2) *The enrollee is not being discharged from the sending hospital.*

10.09.67.27 (4/6/15)

#### .27 Benefits — Limitations.

A. The benefits or services not required to be provided by an MCO are as follows:

(1)—(4) (text unchanged)

(5) Transportation services provided through grants to local governments pursuant to COMAR 10.09.19, other than[:

(a) Assisting] *assisting* enrollees to access nonemergency transportation services through their local transportation grantee agency;

[(b) Nonemergency transportation to access a covered service if the MCO chooses to provide the service at a location that is outside of the closest county in which the service is available; and

(c) Transports between hospitals when:

(i) A medically necessary covered service is not available at the hospital where an enrollee is being treated; and

(ii) The enrollee is not being discharged from the sending hospital.]

(6)—(23) (text unchanged)

B. (text unchanged)

### 10.09.69 Maryland Medicaid Managed Care Program: Rare and Expensive Case Management

Authority: Health-General Article, §15-102.1(b)1) and 15-103(b)4)i) Annotated Code of Maryland

#### .17 Table of Rare and Expensive Disease Diagnosis.

ICD10	ICD 10 Description	AGE LIMIT
B20	Human immunodeficiency virus (HIV) disease	0-20
C96.0	Multifocal and multisystemic Langerhans-cell histiocytosis	0-64
C96.5	Multifocal and unisystemic Langerhans-cell histiocytosis	0-64
C96.6	Unifocal Langerhans-cell histiocytosis	0-64
D61.01	Constitutional (pure) red blood cell aplasia	0-64
D61.09	Other constitutional aplastic anemia	0-64
D66	Hereditary factor VIII deficiency	0-64
D67	Hereditary factor IX deficiency	0-64

D68.0	<i>Von Willebrand's disease</i>	0-64
D68.1	<i>Hereditary factor XI deficiency</i>	0-64
D68.2	<i>Hereditary deficiency of other clotting factors</i>	0-64
E70.0	<i>Classical phenylketonuria</i>	0-20
E70.1	<i>Other hyperphenylalaninemias</i>	0-20
E70.20	<i>Disorder of tyrosine metabolism, unspecified</i>	0-20
E70.21	<i>Tyrosinemia</i>	0-20
E70.29	<i>Other disorders of tyrosine metabolism</i>	0-20
E70.30	<i>Albinism, unspecified</i>	0-20
E70.40	<i>Disorders of histidine metabolism, unspecified</i>	0-20
E70.41	<i>Histidinemia</i>	0-20
E70.49	<i>Other disorders of histidine metabolism</i>	0-20
E70.5	<i>Disorders of tryptophan metabolism</i>	0-20
E70.8	<i>Other disorders of aromatic amino-acid metabolism</i>	0-20
E71.0	<i>Maple-syrup-urine disease</i>	0-20
E71.110	<i>Isovaleric acidemia</i>	0-20
E71.111	<i>3-methylglutaconic aciduria</i>	0-20
E71.118	<i>Other branched-chain organic acidurias</i>	0-20
E71.120	<i>Methylmalonic acidemia</i>	0-20
E71.121	<i>Propionic acidemia</i>	0-20
E71.128	<i>Other disorders of propionate metabolism</i>	0-20
E71.19	<i>Other disorders of branched-chain amino-acid metabolism</i>	0-20
E71.2	<i>Disorder of branched-chain amino-acid metabolism, unspecified</i>	0-20
E71.310	<i>Long chain/very long chain acyl CoA dehydrogenase deficiency</i>	0-20
E71.311	<i>Medium chain acyl CoA dehydrogenase deficiency</i>	0-20
E71.312	<i>Short chain acyl CoA dehydrogenase deficiency</i>	0-20
E71.313	<i>Glutaric aciduria type II</i>	0-20
E71.314	<i>Muscle carnitine palmitoyltransferase deficiency</i>	0-20
E71.318	<i>Other disorders of fatty-acid oxidation</i>	0-20
E71.32	<i>Disorders of ketone metabolism</i>	0-20
E71.39	<i>Other disorders of fatty-acid metabolism</i>	0-64
E71.41	<i>Primary carnitine deficiency</i>	0-64
E71.42	<i>Carnitine deficiency due to inborn errors of metabolism</i>	0-64
E71.50	<i>Peroxisomal disorder, unspecified</i>	0-64
E71.510	<i>Zellweger syndrome</i>	0-64
E71.511	<i>Neonatal adrenoleukodystrophy</i>	0-64
E71.518	<i>Other disorders of peroxisome biogenesis</i>	0-64
E71.520	<i>Childhood cerebral X-linked adrenoleukodystrophy</i>	0-64
E71.521	<i>Adolescent X-linked adrenoleukodystrophy</i>	0-64
E71.522	<i>Adrenomyeloneuropathy</i>	0-64
E71.528	<i>Other X-linked adrenoleukodystrophy</i>	0-64
E71.529	<i>X-linked adrenoleukodystrophy, unspecified type</i>	0-64
E71.53	<i>Other group 2 peroxisomal disorders</i>	0-64
E71.540	<i>Rhizomelic chondrodysplasia punctata</i>	0-64
E71.541	<i>Zellweger-like syndrome</i>	0-64

E71.542	<i>Other group 3 peroxisomal disorders</i>	0-64
E71.548	<i>Other peroxisomal disorders</i>	0-64
E72.01	<i>Cystinuria</i>	0-20
E72.02	<i>Hartnup's disease</i>	0-20
E72.03	<i>Lowe's syndrome</i>	0-20
E72.04	<i>Cystinosis</i>	0-20
E72.09	<i>Other disorders of amino-acid transport</i>	0-20
E72.11	<i>Homocystinuria</i>	0-20
E72.12	<i>Methylenetetrahydrofolate reductase deficiency</i>	0-20
E72.19	<i>Other disorders of sulfur-bearing amino-acid metabolism</i>	0-20
E72.20	<i>Disorder of urea cycle metabolism, unspecified</i>	0-20
E72.21	<i>Argininemia</i>	0-20
E72.22	<i>Arginosuccinic aciduria</i>	0-20
E72.23	<i>Citrullinemia</i>	0-20
E72.29	<i>Other disorders of urea cycle metabolism</i>	0-20
E72.3	<i>Disorders of lysine and hydroxylysine metabolism</i>	0-20
E72.4	<i>Disorders of ornithine metabolism</i>	0-20
E72.51	<i>Non-ketotic hyperglycinemia</i>	0-20
E72.52	<i>Trimethylaminuria</i>	0-20
E72.53	<i>Hyperoxaluria</i>	0-20
E72.59	<i>Other disorders of glycine metabolism</i>	0-20
E72.8	<i>Other specified disorders of amino-acid metabolism</i>	0-20
E74.00	<i>Glycogen storage disease, unspecified</i>	0-20
E74.01	<i>von Gierke disease</i>	0-20
E74.02	<i>Pompe disease</i>	0-20
E74.03	<i>Cori disease</i>	0-20
E74.04	<i>McArdle disease</i>	0-20
E74.09	<i>Other glycogen storage disease</i>	0-20
E74.12	<i>Hereditary fructose intolerance</i>	0-20
E74.19	<i>Other disorders of fructose metabolism</i>	0-20
E74.21	<i>Galactosemia</i>	0-20
E74.29	<i>Other disorders of galactose metabolism</i>	0-20
E74.4	<i>Disorders of pyruvate metabolism and gluconeogenesis</i>	0-20
E75.00	<i>GM2 gangliosidosis, unspecified</i>	0-20
E75.01	<i>Sandhoff disease</i>	0-20
E75.02	<i>Tay-Sachs disease</i>	0-20
E75.09	<i>Other GM2 gangliosidosis</i>	0-20
E75.10	<i>Unspecified gangliosidosis</i>	0-20
E75.11	<i>Mucopolipidosis IV</i>	0-20
E75.19	<i>Other gangliosidosis</i>	0-20
E75.21	<i>Fabry (-Anderson) disease</i>	0-20
E75.22	<i>Gaucher disease</i>	0-20
E75.23	<i>Krabbe disease</i>	0-20
E75.240	<i>Niemann-Pick disease type A</i>	0-20
E75.241	<i>Niemann-Pick disease type B</i>	0-20

E75.242	<i>Niemann-Pick disease type C</i>	0-20
E75.243	<i>Niemann-Pick disease type D</i>	0-20
E75.248	<i>Other Niemann-Pick disease</i>	0-20
E75.25	<i>Metachromatic leukodystrophy</i>	0-20
E75.29	<i>Other sphingolipidosis</i>	0-20
E75.3	<i>Sphingolipidosis, unspecified</i>	0-20
E75.4	<i>Neuronal ceroid lipofuscinosis</i>	0-20
E75.5	<i>Other lipid storage disorders</i>	0-20
E76.01	<i>Hurler's syndrome</i>	0-64
E76.02	<i>Hurler-Scheie syndrome</i>	0-64
E76.03	<i>Scheie's syndrome</i>	0-64
E76.1	<i>Mucopolysaccharidosis, type II</i>	0-64
E76.210	<i>Morquio A mucopolysaccharidoses</i>	0-64
E76.211	<i>Morquio B mucopolysaccharidoses</i>	0-64
E76.219	<i>Morquio mucopolysaccharidoses, unspecified</i>	0-64
E76.22	<i>Sanfilippo mucopolysaccharidoses</i>	0-64
E76.29	<i>Other mucopolysaccharidoses</i>	0-64
E76.3	<i>Mucopolysaccharidosis, unspecified</i>	0-64
E76.8	<i>Other disorders of glucosaminoglycan metabolism</i>	0-64
E77.0	<i>Defects in post-translational mod of lysosomal enzymes</i>	0-20
E77.1	<i>Defects in glycoprotein degradation</i>	0-20
E77.8	<i>Other disorders of glycoprotein metabolism</i>	0-20
E79.1	<i>Lesch-Nyhan syndrome</i>	0-64
E79.2	<i>Myoadenylate deaminase deficiency</i>	0-64
E79.8	<i>Other disorders of purine and pyrimidine metabolism</i>	0-64
E79.9	<i>Disorder of purine and pyrimidine metabolism, unspecified</i>	0-64
E80.3	<i>Defects of catalase and peroxidase</i>	0-64
E84.0	<i>Cystic fibrosis with pulmonary manifestations</i>	0-64
E84.11	<i>Meconium ileus in cystic fibrosis</i>	0-64
E84.19	<i>Cystic fibrosis with other intestinal manifestations</i>	0-64
E84.8	<i>Cystic fibrosis with other manifestations</i>	0-64
E84.9	<i>Cystic fibrosis, unspecified</i>	0-64
E88.40	<i>Mitochondrial metabolism disorder, unspecified</i>	0-64
E88.41	<i>MELAS syndrome</i>	0-64
E88.42	<i>MERRF syndrome</i>	0-64
E88.49	<i>Other mitochondrial metabolism disorders</i>	0-64
E88.89	<i>Other specified metabolic disorders</i>	0-64
F84.2	<i>Rett's syndrome</i>	0-20
G11.0	<i>Congenital nonprogressive ataxia</i>	0-20
G11.1	<i>Early-onset cerebellar ataxia</i>	0-20
G11.2	<i>Late-onset cerebellar ataxia</i>	0-20
G11.3	<i>Cerebellar ataxia with defective DNA repair</i>	0-20
G11.4	<i>Hereditary spastic paraplegia</i>	0-20
G11.8	<i>Other hereditary ataxias</i>	0-20
G11.9	<i>Hereditary ataxia, unspecified</i>	0-20

G12.0	<i>Infantile spinal muscular atrophy, type I (Werdnig-Hoffman)</i>	0-20
G12.1	<i>Other inherited spinal muscular atrophy</i>	0-20
G12.21	<i>Amyotrophic lateral sclerosis</i>	0-20
G12.22	<i>Progressive bulbar palsy</i>	0-20
G12.29	<i>Other motor neuron disease</i>	0-20
G12.8	<i>Other spinal muscular atrophies and related syndromes</i>	0-20
G12.9	<i>Spinal muscular atrophy, unspecified</i>	0-20
G24.1	<i>Genetic torsion dystonia</i>	0-20
G24.8	<i>Other dystonia</i>	0-20
G25.3	<i>Myoclonus</i>	0-5
G25.9	<i>Extrapyramidal and movement disorder, unspecified</i>	0-20
G31.81	<i>Alpers disease</i>	0-20
G31.82	<i>Leigh's disease</i>	0-20
G31.9	<i>Degenerative disease of nervous system, unspecified</i>	0-20
G32.81	<i>Cerebellar ataxia in diseases classified elsewhere</i>	0-20
G37.0	<i>Diffuse sclerosis of central nervous system</i>	0-64
G37.5	<i>Concentric sclerosis (Balo) of central nervous system</i>	0-64
G71.0	<i>Muscular dystrophy</i>	0-64
G71.11	<i>Myotonic muscular dystrophy</i>	0-64
G71.2	<i>Congenital myopathies</i>	0-64
G80.0	<i>Spastic quadriplegic cerebral palsy</i>	0-64
G80.1	<i>Spastic diplegic cerebral palsy</i>	0-20
G80.3	<i>Athetoid cerebral palsy</i>	0-64
G82.50	<i>Quadriplegia, unspecified</i>	0-64
G82.51	<i>Quadriplegia, C1-C4 complete</i>	0-64
G82.52	<i>Quadriplegia, C1-C4 incomplete</i>	0-64
G82.53	<i>Quadriplegia, C5-C7 complete</i>	0-64
G82.54	<i>Quadriplegia, C5-C7 incomplete</i>	0-64
G91.0	<i>Communicating hydrocephalus</i>	0-20
G91.1	<i>Obstructive hydrocephalus</i>	0-20
I67.5	<i>Moyamoya disease</i>	0-64
K91.2	<i>Postsurgical malabsorption, not elsewhere classified</i>	0-20
N03.1	<i>Chronic nephritic syndrome with focal and segmental glomerular lesions</i>	0-20
N03.2	<i>Chronic nephritic syndrome w diffuse membranous glomrlneph</i>	0-20
N03.3	<i>Chronic neph syndrome w diffuse mesangial prolif glomrlneph</i>	0-20
N03.4	<i>Chronic neph syndrome w diffuse endocaply prolif glomrlneph</i>	0-20
N03.5	<i>Chronic nephritic syndrome w diffuse mesangiocap glomrlneph</i>	0-20
N03.6	<i>Chronic nephritic syndrome with dense deposit disease</i>	0-20
N03.7	<i>Chronic nephritic syndrome w diffuse crescentic glomrlneph</i>	0-20
N03.8	<i>Chronic nephritic syndrome with other morphologic changes</i>	0-20
N03.9	<i>Chronic nephritic syndrome with unsp morphologic changes</i>	0-20
N08	<i>Glomerular disorders in diseases classified elsewhere</i>	0-20
N18.1	<i>Chronic kidney disease, stage 1</i>	0-20
N18.2	<i>Chronic kidney disease, stage 2 (mild)</i>	0-20
N18.3	<i>Chronic kidney disease, stage 3 (moderate)</i>	0-20

N18.4	<i>Chronic kidney disease, stage 4 (severe)</i>	0-20
N18.5	<i>Chronic kidney disease, stage 5</i>	0-20
N18.6	<i>End stage renal disease</i>	0-20
N18.9	<i>Chronic kidney disease, unspecified</i>	0-20
Q01.9	<i>Encephalocele, unspecified</i>	0-20
Q02	<i>Microcephaly</i>	0-20
Q03.0	<i>Malformations of aqueduct of Sylvius</i>	0-20
Q03.1	<i>Atresia of foramina of Magendie and Luschka</i>	0-20
Q03.8	<i>Other congenital hydrocephalus</i>	0-20
Q03.9	<i>Congenital hydrocephalus, unspecified</i>	0-20
Q04.5	<i>Megalencephaly</i>	0-20
Q04.6	<i>Congenital cerebral cysts</i>	0-20
Q04.8	<i>Other specified congenital malformations of brain</i>	0-20
Q05.0	<i>Cervical spina bifida with hydrocephalus</i>	0-64
Q05.1	<i>Thoracic spina bifida with hydrocephalus</i>	0-64
Q05.2	<i>Lumbar spina bifida with hydrocephalus</i>	0-64
Q05.3	<i>Sacral spina bifida with hydrocephalus</i>	0-64
Q05.4	<i>Unspecified spina bifida with hydrocephalus</i>	0-64
Q05.5	<i>Cervical spina bifida without hydrocephalus</i>	0-64
Q05.6	<i>Thoracic spina bifida without hydrocephalus</i>	0-64
Q05.7	<i>Lumbar spina bifida without hydrocephalus</i>	0-64
Q05.8	<i>Sacral spina bifida without hydrocephalus</i>	0-64
Q05.9	<i>Spina bifida, unspecified</i>	0-64
Q06.0	<i>Amyelia</i>	0-64
Q06.1	<i>Hypoplasia and dysplasia of spinal cord</i>	0-64
Q06.2	<i>Diastematomyelia</i>	0-64
Q06.3	<i>Other congenital cauda equina malformations</i>	0-64
Q06.4	<i>Hydromyelia</i>	0-64
Q06.8	<i>Other specified congenital malformations of spinal cord</i>	0-64
Q07.01	<i>Arnold-Chiari syndrome with spina bifida</i>	0-64
Q07.02	<i>Arnold-Chiari syndrome with hydrocephalus</i>	0-64
Q07.03	<i>Arnold-Chiari syndrome with spina bifida and hydrocephalus</i>	0-64
Q30.1	<i>Agenesis and underdevelopment of nose, cleft or absent nose only</i>	0-5
Q30.2	<i>Fissured, notched and cleft nose, cleft or absent nose only</i>	0-5
Q31.0	<i>Web of larynx</i>	0-20
Q31.8	<i>Other congenital malformations of larynx, atresia or agenesis of larynx only</i>	0-20
Q32.1	<i>Other congenital malformations of trachea, atresia or agenesis of trachea only</i>	0-20
Q32.4	<i>Other congenital malformations of bronchus, atresia or agenesis of bronchus only</i>	0-20
Q33.0	<i>Congenital cystic lung</i>	0-20
Q33.2	<i>Sequestration of lung</i>	0-20
Q33.3	<i>Agenesis of lung</i>	0-20
Q33.6	<i>Congenital hypoplasia and dysplasia of lung</i>	0-20
Q35.1	<i>Cleft hard palate</i>	0-20
Q35.3	<i>Cleft soft palate</i>	0-20

Q35.5	<i>Cleft hard palate with cleft soft palate</i>	0-20
Q35.9	<i>Cleft palate, unspecified</i>	0-20
Q37.0	<i>Cleft hard palate with bilateral cleft lip</i>	0-20
Q37.1	<i>Cleft hard palate with unilateral cleft lip</i>	0-20
Q37.2	<i>Cleft soft palate with bilateral cleft lip</i>	0-20
Q37.3	<i>Cleft soft palate with unilateral cleft lip</i>	0-20
Q37.4	<i>Cleft hard and soft palate with bilateral cleft lip</i>	0-20
Q37.5	<i>Cleft hard and soft palate with unilateral cleft lip</i>	0-20
Q37.8	<i>Unspecified cleft palate with bilateral cleft lip</i>	0-20
Q37.9	<i>Unspecified cleft palate with unilateral cleft lip</i>	0-20
Q39.0	<i>Atresia of esophagus without fistula</i>	0-3
Q39.1	<i>Atresia of esophagus with tracheo-esophageal fistula</i>	0-3
Q39.2	<i>Congenital tracheo-esophageal fistula without atresia</i>	0-3
Q39.3	<i>Congenital stenosis and stricture of esophagus</i>	0-3
Q39.4	<i>Esophageal web</i>	0-3
Q42.0	<i>Congenital absence, atresia and stenosis of rectum with fistula</i>	0-5
Q42.1	<i>Congen absence, atresia and stenosis of rectum without fistula</i>	0-5
Q42.2	<i>Congenital absence, atresia and stenosis of anus with fistula</i>	0-5
Q42.3	<i>Congenital absence, atresia and stenosis of anus without fistula</i>	0-5
Q42.8	<i>Congenital absence, atresia and stenosis of other parts of large intestine</i>	0-5
Q42.9	<i>Congenital absence, atresia and stenosis of large intestine, part unspecified</i>	0-5
Q43.1	<i>Hirschsprung's disease</i>	0-15
Q44.2	<i>Atresia of bile ducts</i>	0-20
Q44.3	<i>Congenital stenosis and stricture of bile ducts</i>	0-20
Q44.6	<i>Cystic disease of liver</i>	0-20
Q45.0	<i>Agenesis, aplasia and hypoplasia of pancreas</i>	0-5
Q45.1	<i>Annular pancreas</i>	0-5
Q45.3	<i>Other congenital malformations of pancreas and pancreatic duct</i>	0-5
Q45.8	<i>Other specified congenital malformations of digestive system</i>	0-10
Q60.1	<i>Renal agenesis, bilateral</i>	0-20
Q60.4	<i>Renal hypoplasia, bilateral</i>	0-20
Q60.6	<i>Potter's syndrome, with bilateral renal agenesis only</i>	0-20
Q61.02	<i>Congenital multiple renal cysts, bilateral only</i>	0-20
Q61.19	<i>Other polycystic kidney, infantile type, bilateral only</i>	0-20
Q61.2	<i>Polycystic kidney, adult type, bilateral only</i>	0-20
Q61.3	<i>Polycystic kidney, unspecified, bilateral only</i>	0-20
Q61.4	<i>Renal dysplasia, bilateral only</i>	0-20
Q61.5	<i>Medullary cystic kidney, bilateral only</i>	0-20
Q61.9	<i>Cystic kidney disease, unspecified, bilateral only</i>	0-20
Q64.10	<i>Exstrophy of urinary bladder, unspecified</i>	0-20
Q64.12	<i>Cloacal extrophy of urinary bladder</i>	0-20
Q64.19	<i>Other exstrophy of urinary bladder</i>	0-20
Q75.0	<i>Craniosynostosis</i>	0-20
Q75.1	<i>Craniofacial dysostosis</i>	0-20
Q75.2	<i>Hypertelorism</i>	0-20

<i>Q75.4</i>	<i>Mandibulofacial dysostosis</i>	<i>0-20</i>
<i>Q75.5</i>	<i>Oculomandibular dysostosis</i>	<i>0-20</i>
<i>Q75.8</i>	<i>Other congenital malformations of skull and face bones</i>	<i>0-20</i>
<i>Q77.4</i>	<i>Achondroplasia</i>	<i>0-20</i>
<i>Q77.6</i>	<i>Chondroectodermal dysplasia</i>	<i>0-1</i>
<i>Q77.8</i>	<i>Other osteochondrodysplasia with defects of growth of tubular bones and spine</i>	<i>0-1</i>
<i>Q78.0</i>	<i>Osteogenesis imperfecta</i>	<i>0-20</i>
<i>Q78.1</i>	<i>Polyostotic fibrous dysplasia</i>	<i>0-1</i>
<i>Q78.2</i>	<i>Osteopetrosis</i>	<i>0-1</i>
<i>Q78.3</i>	<i>Progressive diaphyseal dysplasia</i>	<i>0-1</i>
<i>Q78.4</i>	<i>Enchondromatosis</i>	<i>0-1</i>
<i>Q78.6</i>	<i>Multiple congenital exostoses</i>	<i>0-1</i>
<i>Q78.8</i>	<i>Other specified osteochondrodysplasias</i>	<i>0-1</i>
<i>Q78.9</i>	<i>Osteochondrodysplasia, unspecified</i>	<i>0-1</i>
<i>Q79.0</i>	<i>Congenital diaphragmatic hernia</i>	<i>0-1</i>
<i>Q79.1</i>	<i>Other congenital malformations of diaphragm</i>	<i>0-1</i>
<i>Q79.2</i>	<i>Exomphalos</i>	<i>0-1</i>
<i>Q79.3</i>	<i>Gastroschisis</i>	<i>0-1</i>
<i>Q79.4</i>	<i>Prune belly syndrome</i>	<i>0-1</i>
<i>Q79.59</i>	<i>Other congenital malformations of abdominal wall</i>	<i>0-1</i>
<i>Q89.7</i>	<i>Multiple congenital malformations, not elsewhere classified</i>	<i>0-10</i>
<i>R75</i>	<i>Inconclusive laboratory evidence of HIV</i>	<i>0-12 months</i>
<i>Z21</i>	<i>Asymptomatic human immunodeficiency virus infection status</i>	<i>0-20</i>
<i>Z99.11</i>	<i>Dependence on respirator (ventilator) status</i>	<i>1-64</i>
<i>Z99.2</i>	<i>Dependence on renal dialysis</i>	<i>21-64</i>

## **10.09.72 Maryland Medicaid Managed Care Program: Departmental Dispute Resolution Procedures**

Authority: Health-General Article, §15-103(b)(9)(i)4, Annotated Code of Maryland

10.09.72.06 (4/6/15)

### **.06 MCO Appeal.**

A. (text unchanged)

B. The following Department decisions are appealable by the MCO or MCO applicant:

(1)—(3) (text unchanged)

(4) Order to provide benefits or services issued pursuant to Regulation .04B(1) of this chapter; [and]

(5) Order that the MCO is impaired or in "hazardous financial condition"; and

(6) *An adverse decision by the IRO.*

C.—H. (text unchanged)

**VAN T. MITCHELL**

**Secretary of Health and Mental Hygiene**