

MARYLAND REGISTER

Proposed Action on Regulations

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

1. Desired date of publication in Maryland Register: 6/12/2015

2. COMAR Codification

Title Subtitle Chapter Regulation

10 37 10 26-1

3. Name of Promulgating Authority

Health Services Cost Review Commission

4. Name of Regulations Coordinator

Diana M Kemp

Telephone Number

410-764-2576

Mailing Address

4160 Patterson Avenue

City State Zip Code

Baltimore MD 21215

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dkemp@hscrc.state.md.us

5. Name of Person to Call About this Document

Diana Kemp

Telephone No.

410-764-2576

Email Address

diana.kemp@maryland.gov

6. Check applicable items:

New Regulations

Amendments to Existing Regulations

Date when existing text was downloaded from COMAR online: May 11, 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

If yes, corresponding proposed text published in:

same issue

future issue

previous issue; it appeared in

: Md. R
(vol.) (issue) (page no's) (date)

Under Maryland Register docket no.: --E.

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 Leslie C. Schulman, Assistant Attorney General, (telephone #410-764-2575) on May 13, 2015. A written copy of the approval is on file at this agency.

Name of Authorized Officer

John M. Colmers

Title

Chairman

Telephone No.

410-764-2605

Date

May 13, 2015

Title 10
DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Subtitle 37 HEALTH SERVICES COST REVIEW COMMISSION

10.37.10 Rate Application and Approval Procedures

Authority: Health-General Article, Sections 19-207 and 19-214; Insurance Article, Sections 14-502 and 15-504; Annotated Code of Maryland

Notice of Proposed Action

□

The Health Services Cost Review Commission proposes to amend Regulation .26-1 under COMAR 10.37.10 Rate Application and Approval Procedures. This action was considered and approved for promulgation by the Commission at a previously announced open meeting held on May 13, 2015, notice of which was given pursuant to General Provisions Article , Section 3-301(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to impose a moratorium on the Commission's Maryland Health Insurance Plan (MHIP) assessment for Fiscal Year 2016 in response to the Budget Reconciliation Act of 2015 changes to the program as of July 1, 2015.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact.

This Regulation amendment establishes a moratorium on the heretofore annual assessment to help fund the Maryland Health Insurance Plan (MHIP) for FY 2016.

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

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

B(1). The amount of \$62.2 million represents what was assessed to hospital rates for FY 2015. Because of the provisions of the Affordable Care Act, MHIP is not providing health insurance coverage as of January 1, 2015.

D(2). The moratorium means that hospital rates will not be increased to cover the funding for MHIP. As a result of the Affordable Care Act, all Marylanders can now obtain health insurance notwithstanding the moratorium.

F(3). The public will be paying less for hospital charges as a result of the moratorium on this MHIP assessment. As a result of the Affordable Care Act, all Marylanders can now obtain health insurance notwithstanding the moratorium.

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 Diana Kemp, Regulations Coordinator, Health Services Cost Review Commission, 4160 Patterson Avenue, or call 410-764-2576, or email to diana.kemp@maryland.gov, or fax to 410-358-6217. 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?

No

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:

No Funds are necessary.

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

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 do not target small businesses, but rather the healthcare environment generally. The moratorium does not affect small businesses, as the Affordable Care Act ensures health insurance coverage.

G. Small Business Worksheet:

Attached Document:

Title 10 DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Subtitle 37 HEALTH SERVICES COST REVIEW COMMISSION

Chapter 10 Rate Application and Approval Procedures

Authority: Health-General Article §§19-207 and 19-214; Insurance Article, §§14-502 and 15-504; Annotated Code of Maryland

.26-1 Maryland Health Insurance Plan (MHIP) Assessment

A. (text unchanged)

B. The Commission shall assess each hospital up to 1 percent of its net patient revenue to operate and administer the MHIP. *There shall be no MHIP assessment for Fiscal Year 2016.*

C.—D. (text unchanged)

JOHN M. COLMERS

Chairman

Health Services Cost Review Commission

