Overview and Legal and Fiscal Impact

This regulation provides a 2% rate increase for health home providers.

The regulation presents no legal issues of concern.

Medicaid expenditures increase by $188,806 (50% general funds, 50% federal funds) in fiscal 2018 to provide a 2% rate increase for Maryland Chronic Health Homes. Federal fund revenues increase accordingly.

Regulation of COMAR Affected

Maryland Department of Health:
Medical Care Programs: Health Homes: COMAR 10.09.33.09

Legal Analysis

Background

The fiscal 2018 budget includes a 2% rate increase for community behavioral health providers.

Summary of Regulation

Under COMAR 10.09.33.09C(2) the monthly rate per participant in a health home provider is increased by 2%, from $100.85 to $102.86, effective July 1, 2017.

Legal Issues

The regulation presents no legal issues of concern.

Statutory Authority and Legislative Intent

The Maryland Department of Health cites § 2–104(b) of the Health – General Article as statutory authority for the regulation. Section 2–104(b) authorizes the Secretary of Health to adopt rules and regulations to carry out the provisions of law within the jurisdiction of the Secretary.
Although not cited by the department, § 15–103 of the Health – General Article requires the Secretary to administer the Maryland Medical Assistance Program. Additionally, § 15–105 requires the department to adopt rules and regulations for the reimbursement of providers for services under the program.

With the addition of §§ 15–103 and 15–105 of the Health – General Article, this authority is correct and complete. The regulation complies with the legislative intent of the law.

Fiscal Analysis

Medicaid expenditures increase by $188,806 (50% general funds, 50% federal funds) in fiscal 2018 to provide a 2% rate increase for Maryland Chronic Health Homes. Federal fund revenues increase accordingly.

Agency Estimate of Projected Fiscal Impact

The regulation increases the monthly rate for participants served by a Maryland Chronic Health Home by 2%. The department advises that Medicaid expenditures increase by $188,806 (50% general funds, 50% federal funds) in fiscal 2018, based on calendar 2016 utilization. The Department of Legislative Services concurs.

Impact on Budget

Medicaid expenditures increase by $188,806 (50% general funds, 50% federal funds) in fiscal 2018. Federal fund revenues increase accordingly. The fiscal 2018 budget includes funding for a 2% rate increase for community behavioral health providers.

Agency Estimate of Projected Small Business Impact

The department advises that the regulation has a meaningful economic impact on small businesses in the State. The Department of Legislative Services concurs.

Contact Information

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