



Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Secretary

March 2, 2022

The Honorable Delores G. Kelley
Chair, Senate Finance Committee
3 East Miller Senate Office Building
Annapolis, MD 21401-1991

RE: SB 840 – COVID-19 Response Act of 2022 – Letter of Information

Dear Chair Kelley and Committee Members:

The Maryland Department of Health (MDH) respectfully submits this letter of information for Senate Bill (SB) 840 – COVID-19 Response Act of 2022. SB 840 establishes and alters certain planning requirements related to COVID-19, requires Maryland Medicaid to provide coverage for COVID-19 tests to uninsured individuals after the end of the federal public health emergency, establishes Maryland MyIR Mobile as a voluntary vaccine passport technology, alters rate-setting policies for certain urgent care centers, requires the Maryland Board of Nursing to establish an apprentice geriatric nursing assistant program, and alters the authority of pharmacists.

Currently, through Families First Coronavirus Response Act (FFCRA), Maryland provides coverage for COVID-19 tests for the uninsured.¹ Expenditures are subject to a 100 percent Federal Medical Assistance Percentage (FMAP). This coverage will continue until the end of the national Public Health Emergency (PHE). Once the national PHE ends, SB 840 will require MDH to create a new Medicaid eligibility group for the uninsured, authorized by FFCRA. Individuals eligible for this new group will receive a limited benefit package of services related to testing and diagnosis of COVID-19, not including vaccinations. MDH is unclear how much, if any, expenditures will be subject to the FMAP. The current reimbursement rates for COVID-19 tests received by Medicaid participants range from \$35 to \$416.

MDH recognizes that as an emergency bill, SB 840 will take effect immediately on passage. Large system changes to the eligibility system require advance notice and planning. Creation of a new coverage group typically requires a minimum of six (6) months to allow for development of business requirements, implementation of system programming changes, and testing prior to go-live. There are several system changes already in progress, including federally required system certification activities, as well as other enhancements including implementations of 12-months extended postpartum coverage and the expansion of the Employed Individuals with

¹ Families First Coronavirus Response Act (2020)
<https://www.congress.gov/116/plaws/publ127/PLAW-116publ127.pdf>

Disabilities (EID) Program. MDH anticipates it could not implement the new Uninsured Testing Group until calendar year 2023 without putting other activities at risk.

Additionally, SB 840 requires MDH to ensure that the Maryland MyIR immunization record service continues to be used for COVID-19 vaccinations. As a note, MyIR is not intended to serve as a vaccine passport; it is available to use as a voluntary vaccine record on a mobile device. The State does not have a contract with MyIR. MDH has worked with STCHealth, a federal vendor, which owns and operates MyIR, as part of a U.S. Department of Health and Human Services (DHHS) pilot project to provide consumer access to immunization records, including for COVID-19 immunizations. Since DHHS is the administrator of this contract, MDH is not able to request services beyond what is provided to the pilot participants.

SB 840 also requires MDH to submit two updated reports on COVID-19 testing and vaccination efforts, as well as a new report on treating residents who have COVID-19. All three of these reports are due by June 1, 2022. This deadline does not allow ample time to coordinate with local health departments and the Maryland State Department of Education and meaningfully study, determine, and update and report on the criteria set forth in the bill.

MDH thanks the General Assembly for its ongoing support during the COVID-19 pandemic and looks forward to our continued partnership in our ongoing response efforts. If you have any questions, please contact Heather Shek, Director of Governmental Affairs, at heather.shek@maryland.gov or (443) 695-4218.

Sincerely,

A handwritten signature in cursive script that reads "Dennis R. Schrader".

Dennis R. Schrader
Secretary