



Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

March 14, 2023

The Honorable Melony Griffith
Chair, Senate Finance Committee
3 East Miller Senate Office Building
Annapolis, MD 21401-1991

RE: SB 627 – Maryland Medical Assistance Program – Emergency Dialysis Services – Letter of Support with Amendments

Dear Chair Griffith and Committee Members:

The Maryland Department of Health (MDH) respectfully submits this letter of support with amendments for Senate Bill (SB) 627 – Maryland Medical Assistance Program – Emergency Dialysis Services. SB 627 requires Maryland Medicaid to provide coverage for dialysis services to non-citizen individuals with End-Stage Renal Disease (ESRD), who would be eligible for Medicaid but for their immigration status, beginning January 1, 2025.

Dialysis is a critical, life-sustaining service when needed. Maryland Medicaid currently already provides coverage for dialysis services to non-citizen individuals with End-Stage Renal Disease (ESRD), who would be eligible for Medicaid but for their immigration status. Specifically, Emergency Medical Services are provided for non-qualified or undocumented non-citizens who would otherwise meet financial eligibility for Medicaid as stated in Hospital Transmittal No. 277.¹ Maryland Medicaid provides coverage for both emergency medical services provided in the hospital (COMAR 10.09.24.05-2) and dialysis at freestanding facilities. Dialysis is a covered benefit when prescribed by a Maryland Medicaid Provider and approved by Maryland Medicaid (or through its designee).² Approval is up to 12 months, with 12-month renewable certification periods (unlike other Emergency Medical Services, which require certification each time they are received). The frequency of weekly dialysis service and length of dialysis treatment are determined by the Provider and based on the degree of End-Stage Renal Disease (ESRD). Medicaid is in the process of updating its website and releasing clarifying guidance to providers regarding coverage for dialysis services allowed under this existing policy.

MDH's interpretation of our guidelines is that the guidelines go further than the coverage required in the bill. However, because circumstances change and treatments and medical standards of care evolve, MDH recommends language that would give MDH flexibility in the future. Our recommended amendments are below.

¹ [Hospital Transmittal No. 277](#)

² [COMAR 10.09.24.05-2](#)

If you need more information, please contact Megan Peters, Acting Director of Governmental Affairs, at megan.peters@maryland.gov or (410) 844-2318.

Sincerely,

A handwritten signature in blue ink, appearing to read "LH Scott".

Laura Herrera Scott, M.D., M.P.H.
Secretary

MDH Amendments to Senate Bill 627

On page 2, in line 18, after “2025” insert “**SUBJECT TO THE LIMITATIONS OF THE STATE BUDGET**”.

On page 2, strike beginning with “**WHEN**” in line 21 down through “**ORGAN**” in line 28 and substitute “**IN ACCORDANCE WITH MEDICAL GUIDELINES DEVELOPED BY THE PROGRAM**”.