



Wes Moore, Governor · Aruna Miller, Lt. Governor · Ryan Moran, Dr.PH, Acting Secretary

March 5, 2025

The Honorable Joseline A. Peña-Melnyk  
Chair, House Health and Government Operations Committee  
241 House Office Building  
Annapolis, MD 21401-1991

**RE: House Bill 1142 – Public Health – Maryland Interested Parties Advisory Group – Establishment - Letter of Support with Amendments**

Dear Chair Peña-Melnyk and Committee Members:

The Maryland Department of Health (Department) respectfully submits this letter of support with amendments for House Bill (HB) 1142 - Public Health – Maryland Interested Parties Advisory Group – Establishment.

As drafted, HB 1142 would require the Department to take certain actions that go beyond the existing federal requirements of the Maryland Interested Parties Advisory Group (IPAG) as part of the Centers for Medicare and Medicaid Services (CMS)'s *Ensuring Access to Medicaid Services Final Rule* ("Access Rule"), which focused on advancing access to care and quality of care and improving health outcomes for Maryland Medicaid (Medical Assistance) participants across home and community-based services (HCBS).

HB 1142 would expand the purpose of IPAG to not only evaluate the sufficiency of Medical Assistance payment rates for applicable service categories; but also to examine working conditions for the direct care workforce; as well as evaluate challenges to accessing care for applicable HCBS programs and develop a communications plan for the Department's engagement with the direct care workers and participants. Additionally, on or before October 1, 2025, the Secretary would appoint direct care workers, participants and/or their authorized representatives, and other interested parties impacted by the service rates in addition to a member of the Medical Assistance program to address data concerns for IPAG. HB 1142 would also require IPAG to meet on a quarterly basis beginning November 1, 2025. Furthermore, the Department would establish standardized procedures for the administration of IPAG and make them publicly available on the Department's website; provide sufficient data and resources at least 30 days in advance of meeting for informed participation of members; consult IPAG before making changes to the payment rates; support IPAG; and develop a public education and communications plan to keep the members of the group informed. In addition, on or before September 1 each year, beginning in 2026, IPAG would submit reports indicating its activities and recommendations addressing the Medical Assistance program's payment rates, HCBS payment adequacy, access to care, communications to direct workers, and delivery systems for services.

The Department acknowledges and appreciates the bill's intention to address concerns related to sufficient Medicaid provider rates with respect to service categories where payment is made to direct service professionals for HCBS. The Department is committed to supporting and administering IPAG to address these concerns while maintaining the existing IPAG federal requirements established through the Access Rule.

The existing requirements of IPAG include advising and consulting on current and proposed payment rates, required HCBS payment adequacy data, access to care metrics, and associated services to ensure payment rates are sufficient to ensure network adequacy. The Medical Assistance program is required to provide relevant data to IPAG for members to make adequate recommendations. The Medical Assistance program is also required to publish information as well as publish the recommendations of the IPAG within one (1) month of when the IPAG provides the recommendations. As some of the requirements identified in HB 1142 are already in place; the Department proposes amendments to the bill to further align the provisions of HB 1142 with the existing federal requirements. Amendments to HB 1142 are proposed in the attachment to this letter.

If you would like to discuss this further, please do not hesitate to contact Sarah Case-Herron, Director of Governmental Affairs at [sarah.case-herron@maryland.gov](mailto:sarah.case-herron@maryland.gov).

Sincerely,

A handwritten signature in blue ink that reads "Ryan B. Moran". The signature is written in a cursive style with a horizontal line underneath the name.

Ryan B. Moran, Dr. P.H., MHSA  
Acting Secretary

In the House Health and Government Operations Committee

**AMENDMENTS TO HOUSE BILL 1142**

(First Reading File Bill)

On page 1, in lines 5 and 6, strike the words beginning with “requiring” in line 5 down through “Group;” in line 6, inclusive.

On page 2, strike lines 7 through 10 in their entirety.

On pages 2 and 3, strike in their entirety the lines beginning with line 26 on page 2 down through line 6 on page 3.

On page 3, in line 10, strike “ENSURE” and in line 11, after “(1)”, insert “ADVISE AND CONSULT ON” and strike “RATES ARE SUFFICIENT TO PROVIDE” and substitute “RATE SUFFICIENCY ENSURING”.

In lines 12 through 14, strike beginning with “; AND” in line 12 down through “STATE” in line 14, inclusive.

In line 19, after the second “THE”, insert “DEPUTY” and after “SECRETARY” insert “, OR THE DEPUTY SECRETARY’S DESIGNEE”.

In line 20, strike “THREE CONSUMERS” and substitute “DIRECT CARE WORKERS”

In line 21, strike “TWO REPRESENTATIVES OF CONSUMER ORGANIZATIONS” and substitute “MEDICAID CONSUMERS AND THEIR AUTHORIZED REPRESENTATIVES”

In line 22, strike “THREE DIRECT CARE WORKERS” and substitute “OTHER INTERESTED PARTIES IMPACTED BY THE APPLICABLE SERVICE CATEGORIES, AS DETERMINED BY THE DEPUTY SECRETARY, OR THE DEPUTY SECRETARY’S DESIGNEE”.

On pages 3 and 4, strike in their entirety the lines beginning with line 23 on page 3 down through line 4 on page 4.

On page 4, in line 10, after “THE”, insert “DEPUTY” and after “SECRETARY” insert “, OR THE DEPUTY SECRETARY’S DESIGNEE”.

In line 18, strike the comma after “LOGISTICAL” and insert “AND” and after “INFORMATIONAL” strike “, AND FINANCIAL”.

In lines 21 through 30, strike beginning with “(1)” in line 21 down through “QUALIFIES.” in line 29, inclusive.

On page 5, in lines 3 through 5, strike beginning with “;BUT” in line 3 down through “BUDGET” in line 5, inclusive.

In line 7, strike “ON A QUARTERLY BASIS” and substitute “BIENNIALY, AT A MINIMUM”

On page 6, in lines 7 through 31, after “(1)” in line 7 insert “CURRENT AND PROPOSED PAYMENT RATES; AND” and strike the words beginning with “DISTRIBUTING” in line 7 down through “EXPERIENCE;” in line 31, inclusive.

On page 6, in line 32 and 33, strike the words beginning with “WITH” in line 32 down through “REPORT” in line 33, inclusive.

On pages 7 and 8, strike in their entirety the lines beginning with line 7 on page 7 down through line 21 on page 8.

On page 8, strike in their entirety lines 26 through 29 and in line 30, strike “(3)” and substitute “(2)”.

On page 9, strike in their entirety lines 1 through 24 and in line 25, strike “(3)” and substitute “(B)” and in line 26 strike “AN AFFIRMATIVE VOTE OF AT LEAST SEVEN MEMBERS” and substitute “A MAJORITY VOTE”.

On pages 9 and 10, strike in their entirety the lines beginning with line 27 on page 9 down through line 10 on page 10.

On page 10, in line 11, strike “(D)” and substitute “(C)” and line 17 after “the” insert “Deputy” and after “Secretary” insert “or the Deputy Secretary’s designee”.