

## **Table of Contents**

**State/Territory Name: Maryland**

**State Plan Amendment (SPA)#: 24-0007**

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) Form CMS-179
- 3) Approved SPA Pages

DEPARTMENT OF HEALTH & HUMAN SERVICES  
Centers for Medicare & Medicaid Services  
601 E. 12th St., Room 355  
Kansas City, Missouri 64106



Medicaid and CHIP Operations Group

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April 26, 2024

Ryan Moran  
Medicaid Director  
Maryland Department of Health  
201 W. Preston Street, 5th Floor  
Baltimore, MD 21201

Re: Maryland State Plan Amendment (SPA) 24-0007

Dear Medicaid Director Moran:

The Centers for Medicare & Medicaid Services (CMS) reviewed your Medicaid State Plan Amendment (SPA) submitted under transmittal number (TN) 24-0007. This amendment proposes to allow Medicaid enrolled pharmacists to bill Maryland Medicaid for professional services rendered within their lawful scope of practice.

We conducted our review of your submittal according to statutory requirements in Title XIX of the Social Security Act and implementing regulations 42 CFR 447.201. This letter informs you that Maryland's Medicaid SPA 24-0007 was approved on April 26, 2024, with an effective date of January 1, 2024.

Enclosed are copies of the Form CMS-179 and approved SPA pages to be incorporated into the Maryland State Plan.

If you have any questions, please contact Talbatha Myatt at (215) 861-4259 or via email at [Talbatha.Myatt@cms.hhs.gov](mailto:Talbatha.Myatt@cms.hhs.gov).

Sincerely,

A large black rectangular redaction box covers the signature of James G. Scott.

James G. Scott, Director  
Division of Program Operations

Enclosures

cc: Tricia Roddy, MDH  
Tyra Hill, MDH  
Tyler Colomb, MDH

**TRANSMITTAL AND NOTICE OF APPROVAL OF  
STATE PLAN MATERIAL  
FOR: CENTERS FOR MEDICARE & MEDICAID SERVICES**

1. TRANSMITTAL NUMBER  
2 4 — 0 0 0 7

2. STATE  
MD

3. PROGRAM IDENTIFICATION: TITLE OF THE SOCIAL SECURITY ACT  
 XIX  XXI

TO: CENTER DIRECTOR  
CENTERS FOR MEDICAID & CHIP SERVICES  
DEPARTMENT OF HEALTH AND HUMAN SERVICES

4. PROPOSED EFFECTIVE DATE  
**January 1, 2024**

5. FEDERAL STATUTE/REGULATION CITATION  
42 CFR 447.201

6. FEDERAL BUDGET IMPACT (Amounts in WHOLE dollars)  
a. FFY 2024 \$ 1,099,796  
b. FFY 2025 \$ 366,599

7. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT  
Attachment 4.19B Page 25 (24-0007)  
Attachment 3.1A Page 19-4 (24-0007)  
Attachment 3.1A Page 29-C-10 (24-0007)

8. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (if Applicable)  
Attachment 4.19B Page 25 (20-0014)  
Attachment 3.1A Page 19-4 (19-0001)  
Attachment 3.1A Page 29-C-10 (12-02)

9. SUBJECT OF AMENDMENT

The Maryland Department of Health is amending the State Plan to allow Medicaid enrolled pharmacists to bill Maryland Medicaid for professional services rendered within their lawful scope of practice.

10. GOVERNOR'S REVIEW (Check One)

- GOVERNOR'S OFFICE REPORTED NO COMMENT  
 COMMENTS OF GOVERNOR'S OFFICE ENCLOSED  
 NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL

OTHER, AS SPECIFIED:

11. [REDACTED]

15. RETURN TO  
Ryan Moran  
Medicaid Director  
Maryland Department of Health  
201 W. Preston St., 5th Floor  
Baltimore, MD 21201

12. TYPED NAME  
Tricia Roddy

13. TITLE  
Deputy Medicaid Director

14. DATE SUBMITTED  
March 20, 2024

**FOR CMS USE ONLY**

16. DATE RECEIVED  
March 20, 2024

17. DATE APPROVED  
April 26, 2024

**PLAN APPROVED - ONE COPY ATTACHED**

18. EFFECTIVE DATE OF APPROVED MATERIAL  
January 1, 2024

19. SIGNATURE OF APPROVING OFFICIAL  
[REDACTED]

20. TYPED NAME OF APPROVING OFFICIAL  
James G. Scott

21. TITLE OF APPROVING OFFICIAL  
Director, Division of Program Operations

22. REMARKS

STATE PLAN FOR MEDICAL ASSISTANCE  
UNDER TITLE XIX OF THE SOCIAL SECURITY ACT  
STATE OF MARYLAND

6. Medical care and any other type of remedial care recognized under State Law, furnished by licensed practitioners within the scope of their practice as defined by State law.

d. Other practitioners' services: Pharmacists services

**Covered Services**

A. Pharmacists are able to furnish services within the lawful scope of their practice as defined by State Law and when the services are covered by Maryland Medicaid.

## STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

**State of Maryland****13. Other diagnostic, screening, preventive, and rehabilitative services, i.e., other than those provided elsewhere in the plan.****G. Medication Therapy Management (MTM)****Covered Services:**

1. The Medication Therapy Management (MTM) services when provided in an outpatient setting by a licensed and legally authorized pharmacist in the state in which the service is provided.
2. The MTM consultation is structured to reduce the risk of adverse events and ensure optimum therapeutic outcomes for targeted patients through improved medication use with disease-state specific education, counseling, and medication review related to treatments including drug therapy, laboratory tests, or medical devices provided by licensed and practicing pharmacists.
3. These services will be solely based on referrals. The Department will determine eligibility and refer patients based on diagnosis and use of medications.

**Limitations:**

Under the MTM Services, the following are not covered:

1. MTM group visits.
2. Broken or missed appointments.
3. Time required for preparation of the MTM visits including completion of forms or reports.
4. Services rendered by mail or otherwise not one-to-one.
5. Any participant eligible for Medicare Part D.
6. Participants who reside in a setting where medications are managed/administered by facility staff.
7. Services not identified by the Department as medically necessary or covered.
8. More than one patient visits per day for MTM services.
9. Injections and visits solely for the administration of injections.
10. Services prohibited by the Maryland Board of Pharmacy.

**Provider Qualifications:**

1. In order to receive reimbursement for Medication Therapy Management, the pharmacist must be actively enrolled with the Maryland Medical Assistance Program in good standing and they are operating within their lawful scope of practice as defined by State Law.

## STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of Maryland**Program/Service**

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## Pharmacists Rates

The Department's original reimbursement methodology for professional services rendered by pharmacists was developed as of January 1, 2019 and is effective for services rendered on or after that date. All pharmacists must be licensed in the jurisdiction in which they provide services. Services are limited to those allowed under their lawful scope of practice in Maryland. The pharmacists will be paid at the lower of either the provider's customary fee schedule to the general public or the published Medicaid fee schedule, except for administration of COVID-19 vaccinations. Effective for dates of services on or after December 18, 2020, payments for the administration of COVID-19 vaccinations, based on the national Medicare rates without geographic adjustment in effect when the service is provided, are equivalent to the Medicare rate for any single dose vaccine; and equivalent to the Medicare rate for any vaccine requiring two or more doses.

1. Equivalent to the Medicare rate for any single dose vaccine; and
2. When two or more doses are required and administered through a pharmacy provider, each dose administration shall be paid for at a rate equivalent to the sum of the total Medicare reimbursement for all doses divided by the total doses needed. For example, if two doses are required, reimbursement would be set according to the following formula:  $\text{Reimbursement Rate} = (\text{Medicare Dose 1 reimbursement rate} + \text{Medicare Dose 2 reimbursement rate})/2$ .

Both government and non-government pharmacists are reimbursed pursuant to the same fee schedule. All pharmacists are paid using CPT codes which are based on a percentage of Medicare reimbursement. The average Maryland Medicaid payment rate is approximately 79.5 percent of 2017 Medicare fees. The current fee schedule is published on the Department's website at:

[Health.maryland.gov/providerinfo](https://health.maryland.gov/providerinfo)

## Program limitations:

- The Department will not pay for pharmacists administered drugs obtained from manufacturers who do not participate in the federal Drug Rebate Program.
- The Department will not pay for disposable medical supplies usually included in the office visit.
- The provider may not bill the Program or the recipient for:
  - Completion of forms and reports;
  - Broken or missed appointments;
  - Professional services rendered by mail or telephone; and
  - Providing a copy of a recipient's medical record when requested by another licensed provider on behalf of a recipient.