

Table of Contents

State/Territory Name: Maryland

State Plan Amendment (SPA) #: 14-0011

This file contains the following documents in the order listed:

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

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
150 S. Independence Mall West
Suite 216, The Public Ledger Building
Philadelphia, Pennsylvania 19106-3499



Region III/Division of Medicaid and Children's Health Operations

SWIFT #011520154013

JAN 21 2015

Chuck Lehman, Acting Deputy Secretary
Health Care Financing
Maryland Department of Health and Mental Hygiene
201 West Preston Street, Room 525
Baltimore, MD 21201

Dear Mr. Lehman:


Enclosed is a copy of the approved State Plan Amendment (SPA), Transmittal Number 14-011. This SPA updates the State Plan to remove the geographic limitations previously imposed on Telemedicine services.

The effective date for this amendment is October 3, 2014. The CMS 179 form and the Approved State Plan pages are attached.

If you have questions about this SPA, please contact Lieutenant Commander Andrea Cunningham of my staff at 215-861-4325.

Sincerely,
/S/

A handwritten signature in black ink, appearing to be "A." or similar, written over a horizontal line.

 Francis McCullough
Associate Regional Administrator

**TRANSMITTAL AND NOTICE OF APPROVAL OF
STATE PLAN MATERIAL**

1. TRANSMITTAL NUMBER:
14-011

2. STATE
Maryland

FOR: CENTERS FOR MEDICARE & MEDICAID SERVICES

3. PROGRAM IDENTIFICATION: TITLE XIX OF THE
SOCIAL SECURITY ACT (MEDICAID)

TO: REGIONAL ADMINISTRATOR
CENTERS FOR MEDICARE & MEDICAID SERVICES
DEPARTMENT OF HEALTH AND HUMAN SERVICES

4. PROPOSED EFFECTIVE DATE
10/3/2014

5. TYPE OF PLAN MATERIAL (Check One):

NEW STATE PLAN AMENDMENT TO BE CONSIDERED AS NEW PLAN AMENDMENT

COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (Separate Transmittal for each amendment)

6. FEDERAL STATUTE/REGULATION CITATION:
N/A

7. FEDERAL BUDGET IMPACT:
a. FFY 2014: \$ 0
b. FFY 2015: \$ 12,660

8. PAGE NUMBER OF THE PLAN SECTION OR
ATTACHMENT:
Attachment 3.1A Page 9C-1, 9C-2, 9C-3

9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION
OR ATTACHMENT (If Applicable):
Attachment 3.1A Page 9C-1, 9C-2, 9C-3

10. SUBJECT OF AMENDMENT: Updating the SPA to reflect Maryland's expanded Telemedicine Program as needed due to legislation passed in 2014 session and subsequent amended Regulations.

11. 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:
Susan J. Tucker, Executive Director
Office of Health Services

12. SIGNATURE OF STATE AGENCY OFFICIAL:
/S/

13. TYPED NAME: Charles Lehman

14. TITLE: Acting Deputy Secretary,
Office of Health Care Financing

15. DATE SUBMITTED: 12/18/2014

16. RETURN TO:

Susan J. Tucker, Executive Director
OHS - DHMH
201 W. Preston St., 1st floor
Baltimore, MD 21201

FOR REGIONAL OFFICE USE ONLY

17. DATE RECEIVED: 12/18/14

18. DATE APPROVED: JAN 21 2015

PLAN APPROVED -- ONE COPY ATTACHED

19. EFFECTIVE DATE OF APPROVED MATERIAL:
10/03/2014

20. SIGNATURE OF REGIONAL OFFICIAL:
/S/

21. TYPED NAME:
FRANCIS T. MCCULLOUGH

22. TITLE:
ASSOCIATE REGIONAL ADMINISTRATOR, DMCHO

23. REMARKS:

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY State of
Maryland

Telemedicine

Description of Telemedicine Services

- 1) The Program covers the following:
 - a. Medically necessary services and procedures covered under the Title XIX State Plan that are delivered via telemedicine; and
 - b. A telemedicine transmission fee for originating site providers
- 2) A service that requires prior authorization when performed in an office setting will be subject to the same requirement when performed via telemedicine.
- 3) Maryland Medicaid participants must consent to telemedicine services unless there is an emergency that prevents obtaining consent.

Definition of Services

- 1) Telemedicine is the practice of health care delivery by a practitioner, who is located at a distant site, to a site where the patient is located, known as the originating site, for the purpose of:
 - a. Consultation;
 - b. Evaluation;
 - c. Diagnosis; or
 - d. Recommendation of treatment.
- 2) Telemedicine must be delivered in a communication method that is:
 - a. Live;
 - b. Interactive; and
 - c. Audiovisual.
- 3) Telemedicine services are limited to the following approved telehealth originating sites:
 1. Federally Qualified Health Centers;
 2. Hospitals, including emergency departments;
 3. Physicians;
 4. Nurse practitioners;
 5. Nurse midwives;
 6. Free-standing renal dialysis centers;
 7. Local health departments; and
 8. Nursing facilities.

TN # 14-011

Supersedes TN # 13-30

Approval Date

JAN 21 2015

Effective Date 10/03/2014

- 4) Distant site providers are defined as the following:
 - a. Providers must be licensed as:
 - i. Physicians;
 - ii. Nurse practitioners; and/or
 - iii. Nurse midwives.
 - b. Providers must only be located in the following areas:
 1. Maryland;
 2. The District of Columbia, or;
 3. A contiguous state to Maryland

Qualifications for Telemedicine Providers

Providers shall:

1. Be enrolled in the telemedicine program
2. Meet all requirements for their discipline as specified in the Medicaid State Plan;
3. Have agreements between the Originating and Distant site providers;
4. Act within their scope of practice;
5. Be licensed to practice medicine in the State of Maryland or if the distant site provider is located in another state be licensed to practice medicine in that state; and
6. Attest that their equipment follow all minimum guidelines provided within the most recent telemedicine manual.

Limitations

- 1) The program will not reimburse for the acquisition of equipment necessary to facilitate telemedicine interaction.
- 2) A service provided through telemedicine is subject to the same program coverage limitations that exist for the service when provided in an office setting.
- 3) The Program will not cover any of the following related to telemedicine service delivery:
 - a. Telemedicine services that are interrupted by technical difficulties;
 - b. Consultation that occurs during ambulance transport;
 - c. Services that cannot reasonably be delivered using telemedicine;
 - d. Transmission fees for distant site providers; or
 - e. Services that do not meet the Program's definition of telemedicine.
- 4) Services will not be considered telemedicine if they are:
 - a. Telephone conversations,
 - b. Chart reviews,
 - c. Electronic mail messages,
 - d. Facsimile transmissions, or
 - e. Internet services for online medical evaluations.

Reserved for future use