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State/Territory Name: Maryland

State Plan Amendment (SPA) #: 18-0004

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 #041120184161

June 22, 2018

Dennis Schrader, Secretary
Maryland Department of Health
201 West Preston Street
Baltimore, Maryland 21201

Dear Mr. Schrader:

Enclosed is a copy of the approved State Plan Amendment (SPA), Transmittal Number 18-0004. The purpose of this SPA is to add Licensed Clinical Professional Art Therapists (LCPATs) to the list of Licensed Mental Health Professionals.

The effective date for this amendment is April 14, 2018. The CMS 179 form and the Approved State Plan pages are attached.

If you have questions about this SPA, please contact Ms. Talbatha Myatt of my staff at 215-861-4259.

Sincerely,

/s/

Francis T. McCullough
Associate Regional Administrator

Enclosures

TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL	1. TRANSMITTAL NUMBER: 18-0004	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 April 14 th , 2018	
5. TYPE OF PLAN MATERIAL (<i>Check One</i>): <input type="checkbox"/> NEW STATE PLAN <input type="checkbox"/> AMENDMENT TO BE CONSIDERED AS NEW PLAN <input checked="" type="checkbox"/> AMENDMENT		
COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (<i>Separate Transmittal for each amendment</i>)		
6. FEDERAL STATUTE/REGULATION CITATION: N/A	7. FEDERAL BUDGET IMPACT: a. FFY <u>2018</u> : \$ <u>0</u> b. FFY <u>2019</u> : \$ <u>0</u>	
8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT: Att. 3.1A pg 19-6 (Amend) & 9-7, 19-8, 19-9, 19-10, 19-11 (Amend) Att. 4.19B pg 28 (Amend)	9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (<i>If Applicable</i>): Att. 3.1A pg 19-6 (10-04) & 9-7, 19-8, 19-9, 19-10, 19-11 Att. 4.19B pg 28 (16-0007)	
10. SUBJECT OF AMENDMENT: To add Licensed Clinical Professional Art Therapists to the list of Licensed Mental Health Professionals		
11. GOVERNOR'S REVIEW (<i>Check One</i>): <input type="checkbox"/> GOVERNOR'S OFFICE REPORTED NO COMMENT <input checked="" type="checkbox"/> OTHER, AS SPECIFIED: <input type="checkbox"/> COMMENTS OF GOVERNOR'S OFFICE ENCLOSED Susan J. Tucker, Executive Director <input type="checkbox"/> NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL Office of Health Services		
12. SIGNATURE OF STATE AGENCY OFFICIAL: /s/	16. RETURN TO: Susan J. Tucker, Executive Director OHS – MDH 201 W. Preston St., 1 st floor Baltimore, MD 21201	
13. TYPED NAME: Dennis Schrader		
14. TITLE: Medicaid Director, Maryland Department of Health		
15. DATE SUBMITTED: April 11th, 2018		
FOR REGIONAL OFFICE USE ONLY		
17. DATE RECEIVED: April 11, 2018	18. DATE APPROVED: June 22, 2018	
PLAN APPROVED – ONE COPY ATTACHED		
19. EFFECTIVE DATE OF APPROVED MATERIAL: April 14, 2018	20. SIGNATURE OF REGIONAL OFFICIAL: /s/	
21. TYPED NAME: Francis T. McCullough	22. TITLE: Associate Regional Administrator	
23. 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 under State Law, furnished practitioners within the scope of their practice as defined by State Law.

6. g. Licensed Mental Health Practitioners:

- Licensed Registered Nurse Practitioner with a specialty in Psychiatry
- Licensed Advanced Practice Registered Nurse certified in Psychiatric Mental Health
- Licensed Clinical Professional Counselor
- Licensed Psychologist
- Licensed Clinical Social Worker
- Licensed Clinical Professional Art Therapist

A. Preauthorization:

Providers must obtain preauthorization for all services for which a claim is to be submitted with the exception of IEP/IFSP services where the authorization for the service is contained within the IEP/IFSP.

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

STATE OF MARYLAND

RESERVE FOR FUTURE USE

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

STATE OF MARYLAND

18. Licensed Mental Health Practitioners:

- **Licensed Registered Nurse Practitioner with a specialty in Psychiatry**
- **Licensed Advanced Practice Registered Nurse certified in Psychiatric Mental Health**
- **Licensed Clinical Professional Counselor and Therapist**
- **Licensed Psychologist**
- **Licensed Clinical Social Worker**
- **Licensed Clinical Professional Art Therapist**

- 18a. The Department reimburses a number of classes of private practitioners identified as “mental health professionals” differentially dependent on their licensure class. The classes eligible for reimbursement are licensed under State law and include nurse psychotherapists, licensed doctoral psychologists, licensed and certified social workers, licensed and certified professional counselors, and certified nurse practitioners. Services and provider qualifications are limited to those outlined in 3.1A of the Maryland State Plan.
- 18b. Maryland bases the rates on market factors, primarily comparable rates from other insurers. For each class of mental health professional and for each CPT procedure code, rates paid by other insurers are reviewed. Since Maryland reimburses for a broader range of services than many insurers, some adjustments and interpolations are required. In order to establish rates for similar procedures, rates are adjusted based upon time and intensity of effort required for the procedure in question. Whenever possible, rates are then benchmarked against Medicare rates for similar procedure codes. On average, State rates are below allowable Medicare rates. The Department’s reimbursement methodology was set on July 1st, 2008 and is effective for services provided on or after that date. Except as otherwise noted in the Plan, rates are the same for both governmental and private individual practitioners. Updated rates are included on the current fee schedule which is published on the Department’s website at: health.maryland.gov/providerinfo.
- 18c. The Department reimburses schools for certain mental health services when required under an Individual Education Program (IEP) or Individual Family Service Plan (IFSP) and when provided by a licensed mental health provider. These services include: individual psychotherapy, family psychotherapy, group psychotherapy, and psychological testing. For all dates beginning January 1, 2010, the State will reimburse for this service at the same rate that it reimburses all other non-governmental mental health providers as described in 18b.

Limitations:

- 1) The Department reimburses only for one service per service date; and
- 2) The Department does not reimburse for outpatient mental health services provided to an individual when the individual is in a hospital or residential treatment center; and
- 3) The Department does not reimburse a psychologist for more than 8 hours of psychological testing per patient per year; and
- 4) The Department does not reimburse services provided by a school health-related service provider that are not included on a child’s IEP or IFSP

Preauthorization:

The Department may provide an exception to the first limitation rule above if it, or its agent, finds the additional service is medically necessary, not duplicative.