

## **Table of Contents**

**State/Territory Name: Maryland**

**State Plan Amendment (SPA) #: 19-0006**

This file contains the following documents in the order listed:

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

DEPARTMENT OF HEALTH & HUMAN SERVICES  
Centers for Medicare & Medicaid Services  
Center for Medicaid and CHIP Services  
801 Market Street, Suite 9400  
Philadelphia, Pennsylvania 19107



**Division of Medicaid Field Operations East**

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SWIFT #092620194006

November 13, 2019

Dennis Schrader, Medicaid Director  
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 19-0005. The purpose of this SPA is to allow all Lead Paint Risk Assessors accredited by the Maryland Department of the Environment to enroll and be reimbursed as Medicaid providers, in accordance with Health-General Article, §§2-104(b), 15-103, and 15-105, Annotated Code of Maryland.

The effective date for this amendment is September 1, 2019. 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  
Director  
Division of Medicaid Field Operations East

Enclosures

<b>TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL FOR: CENTERS FOR MEDICARE &amp; MEDICAID SERVICES</b>		1. TRANSMITTAL NUMBER <u>19-0006</u>	2. STATE MD
		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 September 1, 2019	
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>2019</u> \$ <u>5</u> b. FFY <u>2020</u> \$ <u>60</u>	
8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT  Att. 3.1 A pg. 29C-A (19-0006) Att. 4.19-B pg.4 (19-0006) Att. 4.19-B pg. 4a (19-0006)		9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT ( <i>If Applicable</i> )  Att. 3.1 A pg. 29c-A (16-0007) Att. 4.19-B pg.4 (09-05) Att. 4.19-B pg. 4a (18-0002)	
10. SUBJECT OF AMENDMENT The purpose of this SPA is to allow all Lead Paint Risk Assessors accredited by the Maryland, Department of the Environment to enroll and be reimbursed as Medicaid providers, in accordance with Health-General Article, §§2-104(b), 15-103, and 15-105, Annotated Code of Maryland.			
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 <input type="checkbox"/> NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL			
12. SIGNATURE OF STATE AGENCY OFFICIAL <i>/s/</i>		16. RETURN TO Dennis Schrader Medicaid Director Maryland Department of Health 20 W. Preston St, 5th Floor Baltimore, MD 21201	
13. TYPED NAME Dennis Schrader			
14. TITLE Medicaid Director Maryland Department of health			
15. DATE SUBMITTED September 24, 2019			
<b>FOR REGIONAL OFFICE USE ONLY</b>			
17. DATE RECEIVED September 24, 2019		18. DATE APPROVED November 13, 2019	
<b>PLAN APPROVED - ONE COPY ATTACHED</b>			
19. EFFECTIVE DATE OF APPROVED MATERIAL September 1, 2019		20. SIGNATURE OF REGIONAL OFFICIAL <i>/s/</i>	
21. TYPED NAME Francis T. McCullough		22. TITLE Director, Division of Medicaid Field Operations East Regional Operations Group	
23. REMARKS			

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

STATE OF MARYLAND

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13. Other diagnostic, screening, preventive, and rehabilitative services, i.e., other than those provided elsewhere in the plan.

C. Diagnostic Services Environmental Lead Investigations

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**Provider Requirements:**

A Lead Paint Risk Assessor shall have:

- A. Been an accredited Lead Paint Inspector Technician for at least 1 year; and
- B. Satisfied one of the following:
  - a. Conducted at least 20 lead-based paint inspections at separate residential units, public buildings, or commercial properties; or
  - b. Conducted at least five lead-based paint inspections under COMAR 26.16.05.09 and .10 and 15 lead dust inspections from at least 15 separate residential units, public buildings, or commercial properties.
- C. Successfully completed the Lead Paint Risk Assessor training, with at least 14 hours of instruction for the initial course, covering the following topics:
  - a. Epidemiology of lead exposures;
  - b. Lead toxicity;
  - c. Potential relationships between observed conditions and lead exposures;
  - d. Lead paint disclosure requirements for real estate transactions;
  - e. In-place management of lead paint;
  - f. Remodeling and modernization; and
  - g. Sampling for other sources of lead exposure found in soil and drinking water.
- D. Received, as proof of training and accreditation, an identification card and a certificate indicating an expiration date which is 24 months following the accreditation date.
- E. If applicable, applied for renewal of accreditation before the expiration date and successfully completed a Lead Paint Risk Assessor review course of at least 7 hours of instruction, covering topics included in the initial course, with specific emphasis on new requirements and procedures.

**Covered Services:**

- A. The service includes on-site lead investigations for a housing unit designated as a child's home or primary residence.
- B. The service is limited to Medicaid enrollees under age 21 with a documented elevated blood lead level of  $\geq 5$   $\mu\text{g}/\text{dL}$ .

**Limitations:**

- A. Investigations shall be performed by Lead Paint Risk Assessors who are accredited by the Maryland Department of the Environment.
- B. Medicaid reimbursement is not available for any testing of substances (water, paint, etc.) which are sent to a laboratory for analysis due to Clinical Laboratory Improvement Amendments (CLIA) regulations, or for other lead abatement activities, items, materials or devices.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of Maryland

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**Reimbursement Methodology for On-Site Environmental Lead Inspection**

Rate development- The following details the rate development for an on-site environmental lead inspection of the child's primary dwelling. This follows the CMS-accepted methodology for cost-based rates, which includes salary, fringe benefits, and indirect costs. In 2019, the rate was increased to account for inflation. A 2 percent annual uprate was applied from 2009 to 2019, with an additional 3 percent added on top of inflation.

TIME:		<u>COST</u>
Inspection Time	6 Hours	
Total per on-site inspection	6 Hours	

SALARY AND FRINGE

Lead Risk Assessors - Average Hourly Rate= \$29.05	6 Hours x \$29.05 (Avg. Hourly Rate)	\$174.30
	Fringe 37.5%	\$65.36

TIME, SALARY & FRINGE TOTAL PER ON-SITE ENVIRONMENTAL LEAD INSPECTION	\$239.66
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2019 Uprate Difference	+\$61.26
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EQUIPMENT

{ Purchase price estimated at \$15,000 (Ten year expected life x 4= \$60,000) Annual source replacement x 4 Instruments Ring Badges for Radiation detection Total per year	\$6,000/year
	\$10,000/year
	\$526/year
	\$16,526/year

Total equipment cost per inspection \$16,526 X 80% Total Medicaid cases= 13,220.80/400 /Medicaid cases per year)	\$33.05
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2019 Uprate Difference	+\$8.44
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OVERHEAD

Rent/Utilities –	\$ 34.20
Accounting, Audits and IT Support (5% of total salary and fringe)	\$ 11.98
Telephone charges –	\$ 14.40
Total Overhead/Case	\$ 60.58
2019 Uprate Difference	+\$15.49
EQUIPMENT AND OVERHEAD TOTAL	<u>\$ 117.55</u>

TIME, SALARY & FRINGE TOTAL	\$300.92
EQUIPMENT AND OVERHEAD TOTAL	\$117.55
TOTAL COST PER ENVIRONMENTAL INSPECTION	\$418.49 <sup>1</sup>

1. Effective September 1, 2019, the service is covered using the service procedure code T1029 – on-site environmental lead inspection, per dwelling – at a rate of \$418.49. This rate is published on the Maryland Department of Health website at:

[health.maryland.gov/providerinfo](http://health.maryland.gov/providerinfo)

2. Payment is limited to providers that are Lead Risk Assessors accredited by the Maryland, Department of the Environment.
3. The Department will conduct post-payment audits to ensure that providers are not paid for testing environmental substances such as water or soil and pays:

Only when the child in the dwelling has a blood lead elevation  $\geq 5$   $\mu\text{g/dL}$ .

<sup>1</sup> Figures may not sum due to rounding.