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State/Territory Name: ME

State Plan Amendment (SPA): ME-22-0040

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) CMS 179 Form/Summary Form (with 179-like data)
- 3) Approved SPA Pages

DEPARTMENT OF HEALTH & HUMAN SERVICES

Centers for Medicare & Medicaid Services
Center for Medicaid & CHIP Services
233 North Michigan Ave., Suite 600
Chicago, Illinois 60601



Financial Management Group

March 27, 2023

Michelle Probert, Director
Maine Department of Health and Human Services
MaineCare Services
Policy Division
11 State House Station
Augusta, Maine 04333-0011

RE: TN 22-0040

Dear Director Probert:

We have reviewed the proposed Maine State Plan Amendment (SPA) to Attachment 4.19-B ME-22-0040 which was submitted to the Centers for Medicare & Medicaid Services (CMS) on September 30, 2022. This plan amendment updates the reimbursement methodology for physician services to align payment for topical fluoride varnish with the applicable dental service reimbursement methodology.

Based upon the information provided by the State, we have approved the amendment with an effective date August 1, 2022. We are enclosing the approved CMS-179 and a copy of the new state plan page.

If you have any additional questions or need further assistance, please contact Blake Holt at 303-844-6218 or blake.holt@cms.hhs.gov.

Sincerely,



Todd McMillion
Director
Division of Reimbursement Review

Enclosures


TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL FOR: CENTERS FOR MEDICARE & MEDICAID SERVICES	1. TRANSMITTAL NUMBER 22 0040	2. STATE Maine (ME)
	3. PROGRAM IDENTIFICATION: TITLE <u>XIX</u> OF THE SOCIAL SECURITY ACT	
TO: CENTER DIRECTOR CENTERS FOR MEDICAID & CHIP SERVICES DEPARTMENT OF HEALTH AND HUMAN SERVICES	4. PROPOSED EFFECTIVE DATE 8/1/22	
5. FEDERAL STATUTE/REGULATION CITATION 1905(a)(5)(A)	6. FEDERAL BUDGET IMPACT (Amounts in WHOLE dollars) a. FFY 2022 \$ 2,414 b. FFY 2023 \$ 13,428	
7. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT Supplement 1 to Attachment 4.19-B Page 1-a	8. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable) Supplement 1 to Attachment 4.19-B Page 1-a	

9. SUBJECT OF AMENDMENT
Updates reimbursement for CPT 99188 under Physicians Services to match reimbursement for application of topical fluoride varnish under Dental Services.

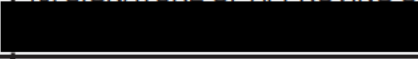
10. GOVERNOR'S REVIEW (Check One)

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

OTHER, AS SPECIFIED:

11. SIGNATURE OF STATE AGENCY OFFICIAL 	15. RETURN TO Michelle Probert Director, MaineCare Services #11 State House Station 109 Capitol Street Augusta, Maine 04333-0011
12. TYPED NAME Michelle Probert	
13. TITLE Director, MaineCare Services	
14. DATE SUBMITTED 9/30/2022	

FOR CMS USE ONLY	
16. DATE RECEIVED September 30, 2022	17. DATE APPROVED March 27, 2023

PLAN APPROVED - ONE COPY ATTACHED	
18. EFFECTIVE DATE OF APPROVED MATERIAL August 1, 2022	19. SIGNATURE OF APPROVING OFFICIAL 
20. TYPED NAME OF APPROVING OFFICIAL Todd McMillion	21. TITLE OF APPROVING OFFICIAL Director, Division of Reimbursement Review

22. REMARKS

METHODS AND STANDARDS FOR ESTABLISHING PAYMENT RATES –
OTHER TYPES OF CARE

5. Physicians' Services -The State agency reimburses at the lowest of 1) Seventy-two point four percent (72.4%) of the current Maine Medicare 'area 99' rate per code, including appropriate Medicare fee adjustments for place-of-service modifiers in effect at the time of service; or 2) The provider's usual or customary charge, and 3) Where no other options are applicable, the Department researches all other State Medicaid agencies that cover the relevant service/code. The Department then bases its rates on the average cost of the relevant services/codes from those other agencies at the time Maine adds coverage and can be found on the Department's fee schedule. The agency's fee schedule rate was set as of July 1, 2022 and is effective for services provided on or after that date. All rates are published [here](#). If the provider's usual and customary charge for a service is lower than the fee schedule rate, the provider's usual and customary charge will be reimbursed. MaineCare considers a claim paid in full if the third party payment exceeds the MaineCare rate of reimbursement.

- a) Reimbursement for CPT code 99188 will be equal to the amount reimbursed under Dental Services for application of topical fluoride varnish.