

without substantive change from former Article 43, § 789(e), the third sentence of § 785(a), and the first sentence of § 788.

In the introductory clause of subsection (a) of this section, the word "incurred" is substituted for "certified", for clarity.

Also in the introductory clause of subsection (a) of this section, the word "medical" which formerly modified "treatment", is deleted in light of its ambiguity, since "medical" may be interpreted, narrowly, to refer only to treatment given by a physician or, broadly, to include treatment given by any health care provider. This deletion conforms to the practice of the Commission to pay for treatment not provided directly by a physician.

In subsection (a)(1) of this section, the phrase "certified dialysis or transplant center" is substituted for "approved facility" to conform to § 13-309 of this subtitle, which provides for certification of centers.

In subsection (a)(2) of this section, the reference to approval "by ... the Commission" is added to conform to current practice. See also § 13-307(d) of this subtitle, under which the Commission may adopt rules and regulations for this approval.

Also in subsection (a)(2) of this section, the former reference to the District of Columbia is deleted as unnecessary in light of the use of the defined term "state".

In subsection (a)(3) of this section, reference to approval "by the Commission" is added for clarity. As to distribution of hemodialysis drugs and devices directly to home dialysis patients, see HO § 12-603.

In subsection (b) of this section, the reference to a "facility or program that is not certified or otherwise approved" is substituted for "any uncertified center", to conform to subsection (a) of this section, which authorizes payments for treatment at certain "uncertified" centers and in certain programs.

In subsection (c) of this section, reference to the "Secretary" is substituted for "kidney disease program" to conform to § 13-308(2) of this subtitle, under which the Secretary