

Approved April 7, 1992.

CHAPTER 51

(House Bill 383)

AN ACT concerning

Maryland Medical Assistance Program – Durable Medical Equipment – Recovery and Reuse

FOR the purpose of requiring the Department of Health and Mental Hygiene, to the extent feasible and appropriate, to recover certain durable medical equipment from certain Maryland Medical Assistance Program recipients and to reuse that equipment to meet the needs of certain other Maryland Medical Assistance Program recipients; authorizing the Department to give certain durable medical equipment to certain organizations under certain circumstances; making this Act an emergency measure; and generally relating to the recovery and reuse of certain durable medical equipment in the Maryland Medical Assistance Program.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 15-129

Annotated Code of Maryland

(1990 Replacement Volume and 1991 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Health – General

5-129.

(a) In this section “durable medical equipment” means durable medical equipment listed in the medical assistance provider fee manual, as provided in regulations adopted by the Department.

(b) To determine whether the prices charged for durable medical equipment provided to Program recipients are reasonable, the Department shall establish regulations and procedures for reviewing the prices of durable medical equipment every 3 years.

(C) THE DEPARTMENT, TO THE EXTENT FEASIBLE AND APPROPRIATE, SHALL RECOVER ALL DURABLE MEDICAL EQUIPMENT FROM PROGRAM RECIPIENTS THAT:

- (1) WAS PURCHASED BY THE DEPARTMENT; AND
- (2) IS NO LONGER REQUIRED BY THE RECIPIENT.