

Article - Health - General

Section ~~15-103(b)(17) and 15-129~~ 15-101(d)(1)

Annotated Code of Maryland

(1994 Replacement Volume and 1997 Supplement)

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

Article - Health - General15-101.

(d) (1) "Historic provider" means a health care provider, as defined in § 19-1501 of this Article [who], OR A RESIDENTIAL SERVICE AGENCY LICENSED UNDER TITLE 19, SUBTITLE 4A OF THIS ARTICLE, THAT, on or before June 30, 1995, had a demonstrated history of providing services to program recipients, as defined by the Department in regulations.

~~15-103.~~

~~(b) (17) (i) For a managed care organization with which the Secretary contracts to provide services to Program recipients under this subsection, the Secretary shall establish a mechanism to initially assure that each historic provider that meets the Department's quality standards has the opportunity to continue to serve Program recipients as a subcontractor of at least one managed care organization.~~

~~(ii) FOR THE PURPOSES OF SUBPARAGRAPH (i) OF THIS PARAGRAPH, THE DEPARTMENT SHALL CONSIDER A SUPPLIER OF DURABLE MEDICAL EQUIPMENT TO BE A HISTORIC PROVIDER DESPITE THE FACT THAT THE SUPPLIER EARNED LESS THAN THE REQUIRED MINIMUM NUMBER OF DOLLARS IN MEDICAID PAYMENTS OVER A SPECIFIED PERIOD OF TIME IF THE SUPPLIER SATISFIES ALL OTHER CRITERIA REQUIRED BY THE DEPARTMENT FOR CLASSIFICATION AS A HISTORIC PROVIDER.~~

~~15-129.~~

~~(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.~~