MaineCare Services
An Office of the
Department of Health and Human Services
John E. Baldacci, Governor Brenda M. Harvey, Commissioner

Department of Health and Human Services
MaineCare Services
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September 5, 2009

TO: Interested Parties

FROM: Anthony Marple, Director, MaineCare Services

SUBJECT: **Emergency Rule**: MaineCare Benefits Manual, Chapter III, Section 3, Ambulatory Care Clinics

The Department has determined that the immediate adoption of these rules is necessary to avoid an immediate threat to public health, safety, or general welfare. The threat to public health is due to the expected escalation of H1N1 (swine flu) this fall. The Department needs to act immediately as Maine's children return to school to assure that as many citizens are possible are protected against both H1N1 and seasonal flu.

MaineCare is working collaboratively with the Maine Center for Disease Control (CDC) and other public agencies to minimize the impact of this serious health risk by adding coverage for administration of H1N1 and seasonal flu vaccines for MaineCare members. This initiative is in direct response to recently announced recommendations of Governor John Baldacci's H1N1 Response Committee, which includes representatives from several state agencies, including those from health and human services, public safety, education, and emergency management. Governor Baldacci also recently announced that Maine's four largest health insurers will also participate in this collaborative effort to assure those covered under their plans also have access to H1N1 vaccines.

Accordingly, MaineCare is immediately adding reimbursement for administration of H1N1 and seasonal flu vaccines in Maine's ambulatory care clinics. MaineCare will reimburse $5 per vaccination for administration of these flu vaccines, which will be supplied at no cost to school-based ambulatory care clinics by the Maine CDC. This emergency rulemaking will allow the Department to immediately work with school departments to appropriately enroll them as ambulatory care clinic providers so that they can be reimbursed for the administration of these state supplied vaccines. While H1N1 vaccines are expected to be available in October, seasonal flu shots are already available for distribution. This emergency rulemaking will allow school based ambulatory care clinics to vaccinate Maine's children as they return to school in hopes of reducing the impact of H1N1 and seasonal flu in Maine this fall.

These rules will remain in effect for 90 days while the Department permanently adopts these changes in a proposed rulemaking. A public hearing will be held as part of that separate rulemaking. The emergency rulemaking will not yield any new administrative burdens or compliance-related

costs that could fiscally impact municipal or county governments. The rulemaking has no adverse impact on small business, as all providers impacted by these rules employ more than twenty employees.

Rules and related rulemaking documents may be reviewed at and printed from the Office of MaineCare Services website at, http://www.maine.gov/dhhs/bms/rules/provider_rules_policies.htm or for a fee, interested parties may request a paper copy of rules by calling 207-287-9368. For those who are deaf or hard of hearing and have a TTY machine, the TTY number is 1-800-423-4331.

A concise summary of the proposed rule is provided in the Notice of Agency Rule-making Proposal. This notice also provides information regarding the rule-making process. Please address all comments to the agency contact person identified in the Notice of Agency Rule-making Proposal.

Notice of Agency Rule-making Adoption

AGENCY: Department of Health and Human Services, MaineCare Services

CHAPTER NUMBER AND TITLE: MaineCare Benefits Manual,
Chapter III, Section 3, Ambulatory Care Clinics

ADOPTED RULE NUMBER:

CONCISE SUMMARY: The Department has determined that the immediate adoption of these rules is necessary to avoid an immediate threat to public health, safety, or general welfare. The threat to public health is due to the expected escalation of H1N1 (swine flu) this fall. The Department needs to act immediately as Maine's children return to school to assure that as many citizens are possible are protected against both H1N1 and seasonal flu. Accordingly, MaineCare is immediately adding reimbursement for administration of H1N1 and seasonal flu shots in Maine's ambulatory care clinics. MaineCare will reimburse $5 per vaccination for administration of these flu vaccines, which will be supplied at no cost to school-based ambulatory care clinics by the Maine CDC. This emergency rulemaking will allow the Department to immediately work with school departments to appropriately enroll them as ambulatory care clinic providers so that they can be reimbursed for the administration of these state supplied vaccines. This emergency rulemaking will allow school based ambulatory care clinics to be reimbursed to vaccinate Maine's children as they return to school, in hopes of reducing the impact of H1N1 and seasonal flu in Maine this fall. These rules will remain in effect for 90 days while the Department permanently adopts these changes in a proposed rulemaking. A public hearing will be held as part of that separate rulemaking.

See http://www.maine.gov/bms/rules/provider_rules_policies.htm for rules and related rulemaking documents.

EFFECTIVE DATE: September 8, 2009

AGENCY CONTACT PERSON: Patricia Dushuttle
AGENCY NAME: Office of MaineCare Services
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11 State House Station
Augusta, Maine 04333-0011

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DEPARTMENT OF HUMAN SERVICES

CHAPTER 101

MAINECARE BENEFITS ~~MEDICAL ASSISTANCE~~ MANUAL

CHAPTER III

SECTION 3

ALLOWANCES FOR AMBULATORY CARE CLINIC SERVICES

EMERGENCY EFFECTIVE DATE: 9/8/09

SECTION 3 **ALLOWANCES FOR AMBULATORY CARE CLINIC SERVICES** **7/1/88**

	PROC CODE	DESCRIPTION	MAXIMUM ALLOWANCE
	Primary Health Care Clinic		
	Z9630	Brief Service: Evaluation and treatment of a condition requiring only an abbreviated history and examination.	$15.56
	Z9631	Intermediate Service: Evaluation of a new or existing condition beyond that of a follow-up, substantiated by documentation noting change and/or complication necessitating evaluation in the course of an otherwise stable condition.	$26.39
	Z9632	Comprehensive Service: Level of service which provides an in-depth evaluation of the patient with a new or existing problem requiring the development or complete re-evaluation of medical data including recording of chief complaint, present illness, family history, past medical history, personal history, a complete physical exam, and the ordering of appropriate diagnostic tests and procedures.	$38.77
	Well Child Clinic		
	Z96379	Visit	By Report
	School Health Clinic		
	Z9638	Visit	By Report
EMG	Z6514	Administration of State supplied non H1N1 vaccine	$5.00
EFF			
9/08/09	Z6578	Administration of State supplied H1N1 vaccine	$5.00
	Primary Health Care Clinics, Well Child Clinics and School Health Clinics		
	Z9667	Interpreter Services (one hour during normal business hours)	$30.00
	Z9668	Interpreter Services (one hour during non-business hours)	$40.00
	Z9669	Interpreter Services (additional 1/4 hour)	$7.50

NOTE : When Primary Health Care Clinics, Well Child Clinics and School Health Clinics provide EPSDT services, the billing and servicing providers must be enrolled with the EPSDT Program. When an EPSDT service is provided, ONLY the EPSDT visit code is billed. Billing for EPSDT services should be done using CPT codes 99381-99385 for new patients and 99391-99395 for established patients.

PROC CODE	DESCRIPTION	MAXIMUM ALLOWANCE
Indian Health Centers		
Z9639	Indian Health Services (IHS) Visit (see NOTE 1)	By Report
Z9641	(IHS) Additional Visit (same Day) (see NOTE 2)	By Report
Z9643	(IHS) Interpreter Services (one hour during normal business hours)	$30.00
Z9644	(IHS) Interpreter Services (one hour during non-business hours)	$40.00
Z9645	(IHS) Interpreter Services (additional 1/4 hour)	$7.50
Z9646	(IHS) Diabetes Education	By Report
Z9647	(IHS) Asthma Self Management	By Report
Z9648	(IHS) Depo-Provera (see NOTE 3)	By Report
Z9649	(IHS) Norplant Kit (see NOTE 3)	By Report
Z9650	(IHS) History and Examination Related to Healthy Individuals Including Anticipatory Guidance (2 mo. - 5 yrs) (see NOTE 4)	By Report
Z9651	(IHS) History and Examination Related to Healthy Individuals Including Anticipatory Guidance (6 - 20 yrs) (see NOTE 4)	By Report
Z9652	(IHS) Interval Screening; Not According to the Periodic Schedule. The Health History Must Be Updated, Appropriate Portions of the Physical Examination Must Be Performed and Appropriate Testing (Vision, Hearing, Laboratory) Must Be done. (2 mos. - 20 yrs.) (see NOTE 4)	By Report
Z9653	(IHS) Newborn in Hospital Setting, Including Physical Exam of Baby and Conference(s) With Parent(s) (0 - 1 mo) (see NOTE 4)	By Report
Z9654	(IHS) Newborn in Other Than Hospital Setting, Including Physical Exam of Baby and Conference(s) With Parent(s) (0 - 1 mo) (see NOTE 4)	By Report

SECTION 3 **ALLOWANCES FOR AMBULATORY CARE CLINIC SERVICES** **7/1/88**

PROC CODE	DESCRIPTION	MAXIMUM ALLOWANCE
Z9655	(IHS) MMR, LIVE, State Supplied	$0.00
Z9656	(IHS) DTP Vaccine, State Supplied	$0.00
Z9657	(IHS) Hepatitis B, State Supplied	$0.00
Z9658	(IHS) Polio, State Supplied	$0.00
Z9659	(IHS) Hibtiter, State Supplied	$0.00
Z9660	(IHS) D.T., PEDS, State Supplied	$0.00
Z9661	(IHS) T.D. 12 +, State Supplied	$0.00
Z9662	(IHS) Tetramune, State Supplied	$0.00
Z9663	(IHS) Prohibit: Heamophilus B Conjugate, State Supplied	$0.00
Z9664	(IHS) Influenza Vaccine	$0.00
Z9665	(IHS) Varicella Vaccine	$0.00
Z9666	(IHS) Pneuomococcal Vaccine	$0.00

NOTE 1: The daily services are totaled and, indicating one unit of service, listed on one line of the HCFA-1500 claim form. Reimbursement is limited to one service visit per day, except in unforeseen circumstances (see NOTE 2).

NOTE 2: An additional visit will only be reimbursed for unforeseen circumstances as documented in the patient's record.

NOTE 3: The charged amount must not exceed the acquisition cost of the product. The provider must keep the invoice documenting the acquisition cost on file and available for submission to the Department if requested.

NOTE 4: When Indian Health Centers provide EPSDT services (codes Z9650 - Z9654), the billing and servicing providers must be enrolled with the EPSDT Program. When an EPSDT service is provided, ONLY the EPSDT visit code is billed.