DATE:    July 3, 2012

TO:    Interested Parties

FROM:    Stefanie Nadeau, Director, MaineCare Services

SUBJECT:    Proposed rule – Chapter 101, MaineCare Benefits Manual, Chapters II and III, Section 150, STD Screening Clinic Services

This letter is to give notice that the Department of Health and Human Services (DHHS) is proposing to repeal Chapter 101, MaineCare Benefits Manual, Chapters II and III, Section 150, STD Screening Clinic Services, in accordance with Public Law 2011, c. 657, Part A, the Maine State Supplemental Budget.

Rules and related rulemaking documents may be reviewed at, and printed from, MaineCare Services website at http://www.maine.gov/dhhs/oms/rules/index.shtml 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 711.

If you have any questions regarding the policy, please contact Provider Services at 1-866-690-5585 or TTY: 711.
Notice of Agency Rule-making Proposal

AGENCY: Department of Health and Human Services, MaineCare Services

CHAPTER NUMBER AND TITLE: Chapter 101, MaineCare Benefits Manual, Chapters II and III, Section 150, STD Screening Clinic Services

PROPOSED RULE NUMBER:


PUBLIC HEARING DATE: Monday, July 30, 2012 at Noon
LOCATION: Main Conference Room
Department of Health and Human Services
221 State Street
Augusta, ME

The Department requests that any interested party requiring special arrangements to attend the hearing contact the agency person listed below before July 23, 2012.

DEADLINE FOR PUBLIC COMMENTS: Written comments must be received by midnight on Thursday, August 9, 2012.

AGENCY CONTACT PERSON: Derrick Grant, Comprehensive Health Planner II
AGENCY NAME: MaineCare Services
ADDRESS: 242 State Street
11 State House Station
Augusta, Maine 04333-0011

TELEPHONE: (207) 287-6427, FAX: (207) 287-9369
TTY: 711 (Deaf or Hard of Hearing)

IMPACT ON MUNICIPALITIES OR COUNTIES (if any): None anticipated.

CONTACT PERSON FOR SMALL BUSINESS INFORMATION (if different): N/A


SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED (if different): N/A.

E-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON: kevin.wells@maine.gov
* Check one of the following two boxes.

☐ The above summary is for use in both the newspaper and website notices.

☒ The above summary is for the newspaper notice only. A more detailed summary / basis statement is attached.
Notice of Agency Rule-making Proposal

Additional Information for the Web

DETAILED BASIS STATEMENT / SUMMARY:

The Department of Health and Human Services (DHHS) is proposing to repeal Chapter 101, MaineCare Benefits Manual, Chapters II and III, Section 150, STD Screening Clinic Services, in accordance with Public Law 2011, c. 657, Part A-1, the Maine State Supplemental Budget. The repeal of this Medicaid optional service, as outlined in this proposed rule, is critical to achieving the necessary cost reduction in the MaineCare program, in order to manage the current DHHS budget shortfall. If these immediate changes are not made, the ongoing deficit may mandate deeper and more severe cuts to the MaineCare program in order to bring the budget into balance as required by Article 9, Section 14 of the Maine Constitution.
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150.01 **DEFINITION:**

STD Screening Clinic means a public health facility that has as one of its functions to provide screening for sexually transmitted infections or diseases, and that has a current provider agreement with the Department to provide these services.

150.02 **ELIGIBILITY FOR CARE:**

Individuals must meet the financial eligibility criteria as set forth in the MaineCare Eligibility Manual. Some members may have restrictions on the type and amount of services they are eligible to receive.

It is the responsibility of the provider to verify a member’s eligibility for STD Screening Clinic Services.

150.03 **DURATION OF CARE:**

Each Title XIX and XXI member is eligible for as many covered services as are medically necessary, as long as the member meets the eligibility for care requirements set forth under paragraph 150.02. The Department reserves the right to request additional information to evaluate the medical necessity of any service provided by the MaineCare Program.

150.04 **COVERED SERVICES:**

A covered service is a service for which payment can be made by the Department. Covered services are limited to screening for sexually transmitted disease or infection, lab testing, cost & administration of medication when necessary, treatment follow-up and counseling.

The provision of immunization services for sexually transmitted disease is covered when medically indicated. Immunization information must be shared with the MaineCare member’s primary care provider (PCP) and entered into the immunization information system (IMMPACT) when available.

150.05 **NON-COVERED SERVICES**

MaineCare reimbursement shall be made only for those STD Screening Clinic Services provided directly to the member.
150.06 POLICIES AND PROCEDURES:

150.06-1 Professional and Other Qualified Staff

Physicians, Physician Assistants (PA), Registered Professional Nurses (RN), Licensed Practical Nurses (LPN), Certified Nurse Practitioners as described by 32 M.R.S.A. §2102 (2-A) or Certified Nurse Midwives as also described by 32 M.R.S.A. §2102 (2-A) when properly licensed by the State of Maine and when under the appropriate supervision if required, may provide STD Screening Clinic Services within the scope of that license.

150.06-2 Member Records

There shall be a clinical record for each member which shall include, but not necessarily be limited to:

A. The member’s name, address, date of birth and MaineCare ID number;
B. The member’s medical and social history, including immunization records, as appropriate;
C. Findings from a physical exam, as appropriate;
D. Tests ordered, performed and the test results;
E. Treatment, counseling, or follow-up care including date provided;
F. Dates scheduled for follow-up appointments;
G. Medications and/or supplies dispensed or prescribed;
H. Recommendations for and referral to other sources of care;
I. Progress notes identifying services provided.

Entries are required for each date of service billed and must include the name, title and signature of the service provider.

150.06-3 Program Integrity

See Chapter I of the MaineCare Benefits Manual.

150.07 REIMBURSEMENT

In accordance with Chapter I of the MaineCare Benefits Manual, it is the responsibility of the provider to seek payment from any other source that is available for payment of the rendered service prior to billing MaineCare.
The maximum amount of payment of services rendered shall be the lowest of the following:

A. The provider's usual and customary charge.

B. The amount listed in the MaineCare Benefits Manual, Section 150, Chapter III, “Allowances for STD Clinic Services.”

C. The amount allowed by Medicare Part B, when the service is covered.

150.08 BILLING INSTRUCTIONS

Billing must be accomplished in accordance with the Department's billing requirements, "Billing Instructions for CMS 1500 Claim Form" located on the following website:
### ALLOWANCES FOR STD SCREENING CLINICS

The procedure code and description listed below are for use by the STD Screening Clinics.

<table>
<thead>
<tr>
<th>PROC CODE</th>
<th>DESCRIPTION</th>
<th>UNIT</th>
<th>MAXIMUM ALLOWANCE</th>
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<tbody>
<tr>
<td>6103*</td>
<td>VD SCREENING, LAB WORK, FOLLOW-UP AND COUNSELING</td>
<td>PER VISIT</td>
<td>$20.00</td>
</tr>
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</table>

This is a MECMS local procedure code which is to be used until MIHMS go-live. Thereafter T1015 must be used. Providers will receive a letter of notification no less than 30 days before this happens.

The procedure code and description listed below are for use by the STD Screening Clinics.

<table>
<thead>
<tr>
<th>PROC CODE</th>
<th>DESCRIPTION</th>
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</thead>
<tbody>
<tr>
<td>T1015*</td>
<td>CLINIC VISIT / ENCOUNTER, ALL INCLUSIVE (STD Screening, Lab Work, Treatment Follow-up and Counseling)</td>
<td>PER VISIT</td>
<td>$60.00</td>
</tr>
</tbody>
</table>

** This is the HIPAA compliant procedure code that will be billable to MaineCare with the implementation of MIHMS.