

# **Title 10 DEPARTMENT OF HEALTH AND MENTAL HYGIENE**

## **Subtitle 37 HEALTH SERVICES COST REVIEW COMMISSION**

### **Chapter 10 Rate Application and Approval Procedures**

**Authority: Health-General Article, §§ 19-201, and 19-207; Annotated Code of Maryland**

#### **NOTICE OF PROPOSED ACTION**

The Health Services Cost Review Commission proposes to amend Regulations **.07-1** under **COMAR 10.37.10 Rate Application and Approval Procedures**. This action was considered and approved for promulgation by the Commission at a previously announced open meeting held on August 12, 2015, notice of which was given pursuant to General Provisions Article, § 3-302(c), Annotated Code of Maryland. If adopted, the proposed amendments will become effective on or about November 23, 2015.

#### **Statement of Purpose**

The purpose of this action is to conform to legislation passed in the 2015 General Assembly, which establishes that outpatient services associated with the federal 340B Program and that meet certain criteria shall be considered provided “at the hospital” and thereby subject to HSCRC rate jurisdiction.

#### **Comparison of Federal Standards**

There is no corresponding federal standard to this proposed action.

#### **Estimate of Economic Impact**

See Statement of Economic Impact.

#### **Opportunity for Public Comment**

Comments may be sent to Diana M. Kemp, Regulations Coordinator, Health Services Cost Review Commission, 4160 Patterson Avenue, Baltimore, Maryland 21215, or (410) 764-2576, or fax to (410) 358-6217, or email to [diana.kemp@maryland.gov](mailto:diana.kemp@maryland.gov). The Health Services Cost Review Commission will consider comments on the proposed amendments until October 5, 2015. A hearing may be held at the discretion of the Commission.

## **.07-1 Outpatient Services – At the Hospital Determination.**

A. (text unchanged)

B. (text unchanged)

C. In accordance with Health-General Article, § 19-201, Annotated Code of Maryland, the Commission's rate-setting jurisdiction extends to outpatient services provided at the hospital. *Outpatient services associated with the federal 340B Program under the federal Public Health Service Act provided in a department of a regulated hospital that, on or before June 1, 2015, is under a merged asset hospital system, and which are physically located at another regulated hospital under the same merged asset hospital system, shall be subject to the rate-setting jurisdiction of the Commission.*

D.-J. (text unchanged)

JOHN M. COLMERS

Chairman

Health Services Cost Review Commission