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State/Territory Name: ME

State Plan Amendment (SPA): ME-22-0028

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) CMS 179 Form/Summary Form (with 179-like data)
- 3) Approved SPA Pages

DEPARTMENT OF HEALTH & HUMAN SERVICES

Centers for Medicare & Medicaid Services
Center for Medicaid & CHIP Services
233 North Michigan Ave., Suite 600
Chicago, Illinois 60601



Financial Management Group

September 15, 2022

Michelle Probert, Director
Maine Department of Health and Human Services
MaineCare Services
Policy Division
11 State House Station
Augusta, Maine 04333-0011

RE: TN 22-002

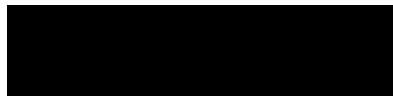
Dear Director Probert:

We have reviewed the proposed Maine State Plan Amendment (SPA) to Attachment 4.19-B ME-22-002 which was submitted to the Centers for Medicare & Medicaid Services (CMS) on June 24, 2022. This plan amendment updates the reimbursement methodology for Physical Therapy, Occupational Therapy, and speech, hearing, and language disorder services to the lower of provider charges or 72.4% of the current corresponding Medicare rate and updates the fee schedule for those services not covered by Medicare.

Based upon the information provided by the State, we have approved the amendment with an effective date July 1, 2022. We are enclosing the approved CMS-179 and a copy of the new state plan pages.

If you have any additional questions or need further assistance, please contact Blake Holt at 303-844-6218 or blake.holt@cms.hhs.gov.

Sincerely,



Todd McMillion
Director
Division of Reimbursement Review

Enclosures

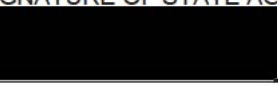
TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL FOR: CENTERS FOR MEDICARE & MEDICAID SERVICES	1. TRANSMITTAL NUMBER 22 0028	2. STATE Maine (ME)
	3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL SECURITY ACT	
TO: CENTER DIRECTOR CENTERS FOR MEDICAID & CHIP SERVICES DEPARTMENT OF HEALTH AND HUMAN SERVICES	4. PROPOSED EFFECTIVE DATE July 1, 2022	
5. FEDERAL STATUTE/REGULATION CITATION 1905(a)(11)	6. FEDERAL BUDGET IMPACT (Amounts in WHOLE dollars) a. FFY 2022 \$ 1,005,453 b. FFY 2023 \$ 3,977,194	
7. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT Supplement 1 to Attachment 4.19-B Page 3, 3(a), and 3(b)	8. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (if Applicable) Supplement 1 to Attachment 4.19-B Page 3, 3(a), and 3(b)	

9. SUBJECT OF AMENDMENT
To implement reimbursement recommendations for Physical Therapy, Occupational Therapy and speech, hearing, and language disorder from the Department's comprehensive rate system evaluation completed by the independent firm Myers and Stauffer in 2021

10. GOVERNOR'S REVIEW (Check One)

GOVERNOR'S OFFICE REPORTED NO COMMENT
 COMMENTS OF GOVERNOR'S OFFICE ENCLOSED
 NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL


OTHER, AS SPECIFIED:

11. SIGNATURE OF STATE AGENCY OFFICIAL 	15. RETURN TO Michelle Probert Director, MaineCare Services #11 State House Station 109 Capitol Street Augusta, Maine 04333-0011
12. TYPED NAME Michelle Probert	
13. TITLE Director, MaineCare Services	
14. DATE SUBMITTED June 24, 2022	

FOR CMS USE ONLY

16. DATE RECEIVED June 24, 2022	17. DATE APPROVED 9/15/2022
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PLAN APPROVED - ONE COPY ATTACHED

18. EFFECTIVE DATE OF APPROVED MATERIAL July 1, 2022	19. SIGNATURE OF APPROVING OFFICIAL 
20. TYPED NAME OF APPROVING OFFICIAL Todd McMillion	21. TITLE OF APPROVING OFFICIAL Director, Division of Reimbursement Review

22. REMARKS

**METHODS AND STANDARDS FOR ESTABLISHING PAYMENT RATES -
OTHER TYPES OF CARE**

11. Physical Therapy and related services.

a. Physical Therapy:

- (1) Where Medicare provides a reimbursement rate, except for orthotic devices, the Department will reimburse the lowest of the following:
 - a. Seventy-two point four percent (72.4%) of the current Medicare rate per code, including appropriate Medicare fee adjustments for place-of-service modifiers in effect at the time of service; or
 - b. The provider's usual or customary charge.
- (2) For orthotics devices provided as part of Physical Therapy Services reimbursement is consistent with Supplement 1 to Attachment 4.19-B, Item 7(b).
- (3) For services where Medicare does not provide a reimbursement rate, the Department will reimburse according to an agency fee schedule. State-developed fee schedule rates are the same for both governmental and private providers. The agency 's fee schedule rates were set as of July 1, 2022. All rates are published at:
<https://mainecare.maine.gov/Provider%20Fee%20Schedules/Forms/Publication.aspx?RootFolder=%2FProvider%20Fee%20Schedules%2FRate%20Setting%2FSection%20085%20%2D%20Physical%20Therapy%20Services&FolderCTID=0x012000264D1FBA0C2BB247BF40A2C571600E81&View=%7B69CEE1D4%2DA5CC%2D4DAE%2D93B6%2D72A66DE366E0%7D>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: MAINE

Supplement 1 to Attachment 4.19-B

Page 3(a)

METHODS AND STANDARDS FOR ESTABLISHING PAYMENT RATES -
OTHER TYPES OF CARE

b. Occupational Therapy:

- (1) Where Medicare provides a reimbursement rate, except for orthotic devices, the Department will reimburse the lowest of the following:
 - a. Seventy-two point four percent (72.4%) of the current Medicare rate per code, including appropriate Medicare fee adjustments for place-of-service modifiers in effect at the time of service; or
 - b. The provider's usual or customary charge.
- (2) For orthotics devices when provided as part of Occupational Therapy Services, reimbursement is consistent with Supplement 1 to Attachment 4.19-B, Item 7(b).
- (3) For services where Medicare does not provide a reimbursement rate, the Department will reimburse according to an agency fee schedule. State-developed fee schedule rates are the same for both governmental and private providers. The agency's fee schedule rates were set as of July 1, 2022 respectively and were effective for services provided on or after that date. All rates are published at:
<https://mainecare.maine.gov/Provider%20Fee%20Schedules/Forms/Publication.aspx?RootFolder=%2FProvider%20Fee%20Schedules%2FRate%20Setting%2FSection%20068%20%2D%20Occupational%20Therapy%20Services&FolderCTID=0x012000264D1FBA0C2BB247BF40A2C571600E81&View=%7B69CEE1D4%2DA5CC%2D4DAE%2D93B6%2D72A66DE366E0%7D>

**METHODS AND STANDARDS FOR ESTABLISHING PAYMENT RATES –
OTHER TYPES OF CARE**

c. Services for individuals with speech, hearing, and language disorder: –

(1) Where Medicare provides a reimbursement rate the Department will reimburse the lowest of the following:

- a. Seventy-two point four percent (72.4%) of the current Medicare rate per code, including appropriate Medicare fee adjustments for place-of-service modifiers in effect at the time of service; or
- b. The provider's usual or customary charge.

(2) For services where Medicare does not provide a reimbursement rate, the Department will reimburse according to an agency fee schedule. State-developed fee schedule rates are the same for both governmental and private providers. The agency's fee schedule rates were set as of July 1, 2022 and were effective for services provided on or after that date. All rates are published at:

<https://mainecare.maine.gov/Provider%20Fee%20Schedules/Forms/Publication.aspx?RootFolder=%2FProvider%20Fee%20Schedules%2FRate%20Setting%2FSection%20109%20%2D%20Speech%20and%20Hearing%20Services&FolderCTID=0x012000264D1FBA0C2BB247BF40A2C571600E81&View=%7B69CEE1D4%2DA5CC%2D4DAE%2D93B6%2D72A66DE366E0%7D>