



DEPARTMENT OF HEALTH

Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

August 4, 2023

Shannon Hall
Executive Director
Community Behavioral Health Association of Maryland

Dear Shannon Hall:

This letter is in response to your comments on Maryland Medicaid's proposal for COMAR 10.09.16 - Behavioral Health Crisis Services (22-351-P). Please note that the Behavioral Health Administration (BHA) will be responding separately to your organization's comments related to the proposed changes to COMAR 10.63 - Community-Based Behavioral Health Programs and Services (22-334-P).

Based on the large number of helpful comments received for both proposals, the Department is withdrawing the current regulations as proposed in order to fully review and incorporate many of the changes and updates your organization and many other stakeholders have requested. The Department will submit these new proposals in the coming months and will make them available for stakeholder comment.

The Department recognizes your concerns related to the 24/7 staffing and response requirements for the mobile crisis team (MCT) service. The Department continues to evaluate your recommendations in reference to the federal statutory language defining qualifying mobile crisis services as introduced in Section 1947(b) in Title XIX of the Social Security Act.

In reference to your comments regarding authorization and medical necessity criteria for these services, the Department recognizes that individuals in crisis should have access to services without barriers. The Department is in agreement with your recommendation that MCT services should not be held up by onerous preauthorization requirements. As such, the Department will update 10.09.16 to explicitly state preauthorization is not required for MCT services.

The Department acknowledges your concerns related to staffing and supervision requirements for MCT and behavioral health crisis stabilization center services and is actively reviewing all staffing and supervision related comments. The Department's new proposals for both 10.09.16 and 10.63 will reflect any changes to staffing and supervision.

The Department appreciates your interest and engagement in our efforts to implement these important crisis services. As indicated, the Department plans to submit updated crisis services regulations in the next few months. We encourage your organization to continue to provide valuable feedback as we work to ensure these services are effective and accessible to all Marylanders.

Regards,



Sandra Kick
Director, Office of Medical Benefits Management
Maryland Department of Health