



MARYLAND Department of Health

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Robert R. Neall, Secretary

April 9, 2019

VIA EMAIL

Gene Ransom III
Maryland State Medical Society
1211 Cathedral Street
Baltimore, MD 21201

Dear Mr. Ransom:

The Maryland Department of Health (the Department) is issuing notice that the Maryland Medicaid program is now accepting Ordering, Referring, and Prescribing (ORP) Provider enrollment applications from licensed practitioners. This letter specifically addresses providers who prescribe medications to Medicaid recipients. **Effective October 1, 2019 the Department will deny payment for prescriptions from providers who are not actively enrolled with Maryland Medicaid, either as an ORP Provider or as a full billing or rendering Medicaid provider.**

Federal Rule

Section 6401 of the Affordable Care Act and Code of Federal Regulations section 42 CFR § 455.410(b) prohibit state Medicaid agencies from reimbursing for ordered, referred, or prescribed services when the ORP practitioner is not enrolled in the state Medicaid program. The Department has received comments from the recipient and provider communities that this federal policy, in their view, presents a barrier to recipients' choice of providers. Some Medicaid recipients seek treatment from providers who do not enroll with Medicaid or receive payment from the Medicaid program, but who prescribe necessary health services to Medicaid recipients. Under the federal enrollment requirement, Medicaid must deny payment at the point of sale for prescriptions from such providers.

Department Response

To address the access issues presented by this federal requirement, the Department updated its provider enrollment system to permit physicians and other practitioners to enroll with the Medicaid program as an ORP Provider, as an alternative to full Medicaid enrollment (as a billing or rendering Medicaid provider). Enrolling as an ORP Provider enables Medicaid to pay for services that the provider orders, refers, or prescribes within their scope of practice. A recipient with a prescription from an enrolled ORP Provider may receive Medicaid covered prescription drugs at a Medicaid participating pharmacy. However, practitioners who enroll as ORP Providers may not seek reimbursement from Medicaid.

ORP Provider Enrollment Rules

An individual provider may choose to enroll as either an ORP Provider, or as a fully participating billing or rendering provider. A provider may not be enrolled with Medicaid as both an ORP Provider and a billing or rendering provider simultaneously under their National Provider Identifier (NPI). Providers who

wish to render billable services or receive reimbursement from Medicaid must enroll under their NPI up to their full level of licensure (e.g. as a physician) and sign a Maryland Medicaid Provider Agreement.

Enrolling as an ORP Provider differs from full Medicaid enrollment in the following ways:

- ORP Providers do not sign a Maryland Medicaid Provider Agreement;
- ORP Providers may neither submit claims to, nor receive payment from, Maryland Medicaid;
- An ORP Provider may not appear on a claim as a rendering provider for professional services billable to Maryland Medicaid.

Providers wishing to register as ORP Providers must create an application using the electronic Provider Revalidation and Enrollment Portal (ePREP). Providers will have the option to select “I’m an Ordering/Referring/Prescribing (ORP) provider” when starting an application. In accordance with federal requirements, ORP Providers must still maintain their enrollment accounts in ePREP, including any license updates, must revalidate their ORP enrollment in ePREP every five years, and will be screened against state and federal databases.

Effective October 1, 2019, all providers prescribing to a Maryland Medicaid recipient must be enrolled with Medicaid either as the provider type that reflects their full level of licensure (e.g. physician) or as an ORP Provider for Medicaid to cover their prescribed services. A Medicaid recipient whose provider does not enroll using one of the two aforementioned options will have payment for their prescriptions denied for dates of services on or after October 1, 2019.

Resources

Maryland Medicaid will be offering web based training sessions to educate providers on how to use ePREP to enroll as ORP Providers and maintain their Medicaid accounts. Providers may visit health.maryland.gov/eprep for a list of upcoming trainings, and to access existing educational material. For assistance with ePREP, providers may contact the ePREP call center at (844) 463-7768 or email MDProviderRelations@automated-health.com.

Please direct ORP Provider enrollment policy questions to mdh.rxenroll@maryland.gov.

Sincerely,


Molly K. Marra
Director, Medicaid Provider Services

CC:

Dennis Schrader, Maryland Medicaid
Athos Alexandrou, Maryland Medicaid
Barbara Bazron, Behavioral Health Administration
Heidi Bunes, Maryland Psychiatric Society
Kimberly Lang, Maryland Department of Health
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