

**THIRD MODIFICATION TO EXCLUSIVE PROVIDER ORGANIZATION  
BENEFITS ADMINISTRATION SERVICES CONTRACT**

**THIS THIRD MODIFICATION AGREEMENT** is made this 10<sup>th</sup> of March, 2010 by and between CareFirst of Maryland, Inc. (Contractor) and the State of Maryland, acting through the Department of Budget and Management.

**IN CONSIDERATION** of the promises and the covenants herein contained, the parties agree as to modify the Contract dated the 18th of March, 2009, as amended by a First Modification dated July 1, 2009 and a Second Modification dated October 8, 2009, between the Contractor and the State of Maryland acting through the Department of Budget and Management as follows:

1. (a) Effective July 1, 2010, the plan design for the Exclusive Provider Organization benefits option of the State Employee and Retiree Health and Welfare Benefits Program is amended in connection with mental health and substance abuse benefits in the following manner:

Type of Service	In-Network Care	Out-of-Network Care
Inpatient Facility and Professional Services	100% of the allowed benefit	Not Covered
Partial Hospitalization Services and Residential Crisis Services	100% of the allowed benefit	Not Covered
Outpatient Facility	100% of the allowed benefit	Not Covered
Office and Professional Services (excluding Intensive Outpatient Services)	Balance up to the allowed benefit after member co-pay. \$15 copay for PCP/Specialist	Not Covered
Intensive Outpatient Services	Balance up to the allowed benefit after member co-pay. \$15 copay for PCP/Specialist	Not Covered
Outpatient Medication Management Services	Balance up to the allowed benefit after member co-pay. \$15 copay for PCP/Specialist	Not Covered
Emergency Room Services In-network and Out-of-Network	100% of allowed benefit after \$50 copay for ER Facility Care and \$50 copay for ER Physician Services	
Annual Deductible Individual Family	Not Applicable	Not Applicable
Annual Out of Pocket Maximum Individual Family	Not Applicable	Not Applicable
Lifetime Maximum	Unlimited	

(b) Contractor shall disclose standards for medical necessity determinations relating to mental health or substance use disorder upon request and in the timing, manner, form and content compliant with the federal Department of Health and Human Services final interim regulations, published in the Federal Register (75 Fed. Reg. 5410) on February 2, 2010 (45 CFR §146.136). Contractor shall disclose the reason for any denial of coverage, payment, or benefits with respect to mental health or substance use disorder benefits in the timing, manner, form and content compliant with 45 CFR §146.136(d)(2) and 29 CFR §2560.503-1.

(c) Benefits shall be covered and claims processed on and after July 1, 2010 in accordance with this amended plan design.

(d) Contractor shall use medical necessity criteria, approval/prior authorization criteria, network provider acceptance, and other non-quantitative treatment limitations in connection with mental health and substance use disorder benefits that are no more restrictive than such limitations in use connection with medical/surgical benefits, in accordance with 45 CFR §146.136.

2. This Modification shall be interpreted and applied to permit the State Employee and Retiree Health and Welfare Benefits Program group health plan benefit options to comply with the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 and the applicable regulations promulgated thereto by the federal Department of Health and Human Services.

3. This Modification amends the Contract specifically as described herein. Except as specifically revised by the terms of this Modification, all of the terms of the Contract shall remain in full force and effect and shall apply to this Modification.

IN WITNESS THEREOF, the parties have executed this Third Modification as of the date hereinabove set forth.

CONTRACTOR

STATE OF MARYLAND  
DEPARTMENT OF BUDGET AND  
MANAGEMENT

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By:

By: T. Eloise Foster  
Secretary

3/9/10

April 8, 2010

Date

Date

[Redacted witness area]

[Redacted witness area]

Witness

Witness

Approved for form and legal sufficiency this 12 day March, 2010.

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Assistant Attorney General

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