



MEMORANDUM

DATE: January 15, 2026

TO: Maryland Health Care Commission

FROM: Dr. Douglas Jacobs, MD, MPH, Executive Director, Maryland Health Care Commission

RE: Proposed Regulations COMAR 10.25.10.07 Payments for Uncompensated Care Patients, Technical Corrections

Issue Summary: The current regulations for trauma uncompensated care claims submission reference required submission of trauma care claims using ICD-9 coding, which are now obsolete. This has led to some confusion with at least one trauma center submitting claims with incorrect codes. We recommend updating the regulations to remove the outdated and incorrect code references, citing ICD-10 instead, and adding language to ensure coding tracks to the most recent and relevant codes as they are updated (e.g., future iterations of ICD).

MHCC Staff recommends a technical correction to update the relevant section of COMAR to remove the outdated and inaccurate references and eliminate confusion, aligning regulatory and subregulatory guidance with current ICD-10 CM code sets.

Background: Current regulations contain outdated references. In November 2025, current third party administrator for the trauma fund raised that a trauma center (UMMS) has submitted several claims, which they denied, including “E” diagnosis codes. Upon denial, UMMS requesting appeal of the decision, citing the current COMAR text. This led MHCC staff and trauma fund program leadership to revisit regulatory text, relevant MHCC subregulatory guidance, and options to ensure fidelity of claims processing and the fund.

COMAR regulations reference specific codes to ensure that reimbursable trauma care claims are related to trauma-related encounters. As written, COMAR references “E” (800-960) codes, used to denote causes of external injury in ICD-9. This is an outdated reference and these codes no longer refer to trauma-related care.¹ When ICD-10 CM codes were released, these codes were transitioned from the 800-960 code set in ICD-9 to S and T diagnosis codes, with

¹ ICD-10 codes in the “E” series now refer to Endocrine, Nutritional, and Metabolic conditions.

additional codes in the V, W, X, Y, and Z series to denote cause of external injury in ICD-10.² Other entities and state governments have issued clarifications and guidance further explaining this transition.³

COMAR regulations also include an outdated reference to a code modifier (CPT in current regulation). Modifiers in this context are state specific references that are used for specific services and require careful combination with procedure codes on claims to ensure proper reimbursement. According to current CMS and Maryland Medicaid guidance, COMAR should instead reference a “U1” modifier, referring to a medical level of care 1.⁴

Recommendation: The MHCC Trauma Fund team recommends a technical correction to COMAR 10.25.10.07(D) as soon as practicable to update the regulation and align with current ICD-10 CM coding structure and CMS coding guidelines. Staff has drafted an AAG-approved regulatory language change to make recommended technical corrections such that uncompensated trauma care reimbursement is based on the most up-to-date coding in ICD-10, with provisions that would allow for automatic updates when successor code sets are released.

Estimated Impact of Policy: This technical change eliminates confusion related to applicable and relevant codes to apply to claims to ensure appropriate payment for uncompensated care provided by Maryland’s trauma centers. The trauma center that has been identified submitting claims with incorrect codes has inquired as to whether we plan to update the regulation; no other trauma centers have been identified using the incorrect/outdated E codes. No adverse impact is anticipated.

Attachments/Additional Information: Attached is a copy of the proposed regulation changes to COMAR 10.25.10.07.

² CMS Coding Guidelines (2026), Chapter 19 <https://www.cms.gov/files/document/fy-2026-icd-10-cm-coding-guidelines.pdf>

³ See [MA](#) and [CA](#) guidance for further explanation of the shift from ICD-9 to ICD-10 injury codes.

⁴ Maryland Medicaid CMS-1500 Billing Instructions, p45, https://health.maryland.gov/mmcp/provider/Documents/ffs-billing/CMS%201500%20Billing%20Instructions%20-%20Updated%2008_2025.docx%20%281%29.pdf.