

# MAINE STATE LEGISLATURE

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L.D. 1934

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HEALTH AND HUMAN SERVICES

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
129TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1378, L.D. 1934, Bill, "An Act Regarding Prior Authorization for Medication-assisted Treatment for Opioid Use Disorder under the MaineCare Program"

Amend the bill by striking out the title and substituting the following:

**'An Act Regarding Prior Authorization for Treatment for Opioid Use Disorder under the MaineCare Program'**

Amend the bill by striking out everything after the enacting clause and inserting the following:

**'Sec. 1. 22 MRSA §3174-EEE is enacted to read:**

**§3174-EEE. Prior authorization of treatment for opioid use disorder**

**1. Medication-assisted treatment.** For the purposes of this section, "medication-assisted treatment" means an evidence-based practice that combines pharmacological interventions with substance use disorder counseling.

**2. Prior authorization limitation.** The department may not require under the MaineCare program prior authorization for the following:

**A. The prescription of at least one drug for each therapeutic class of medication used for medication-assisted treatment for opioid use disorder; or**

**B. Intensive outpatient therapy services for a diagnosis of opioid use disorder.**

**3. Prior authorization for pregnant women.** In addition to the prior authorization limits imposed in subsection 2, the department may not require under the MaineCare program any prior authorization requirements with respect to a pregnant woman for medication-assisted treatment for opioid use disorder or for intensive outpatient therapy services for a diagnosis of opioid use disorder.

**4. Dosage increases.** Notwithstanding subsections 2 and 3, the department may impose prior authorization requirements under the MaineCare program for dosage

**COMMITTEE AMENDMENT**

1 increases that exceed the department's dosing criteria as identified on the department's  
2 MaineCare preferred drug list.

3 5. Rulemaking. The department may adopt rules to implement this section. Rules  
4 adopted pursuant to this subsection are routine technical rules as defined in Title 5,  
5 chapter 375, subchapter 2-A.

6 The requirements of this section must be applied in a manner that is not inconsistent  
7 with the requirements of the Medicaid drug rebate program.'

8 Amend the bill by relettering or renumbering any nonconsecutive Part letter or  
9 section number to read consecutively.

10 **SUMMARY**

11 This amendment makes the following changes to the bill.

12 1. It clarifies that the prior authorization limitations in the bill apply to medication-  
13 assisted treatment and intensive outpatient therapy services for a diagnosis of opioid use  
14 disorder.

15 2. It allows the Department of Health and Human Services to require prior  
16 authorization under the MaineCare program when a dosage increase exceeds the  
17 department's dosing criteria as identified on the department's MaineCare preferred drug  
18 list.

19 3. It authorizes the department to adopt routine technical rules to implement the prior  
20 authorization limitations.

21 4. It states that the prior authorization limitations must be applied in a manner that is  
22 not inconsistent with the requirements of the Medicaid drug rebate program.