

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

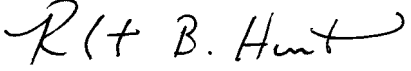
No. 865

H.P. 551

House of Representatives, March 4, 2025

**An Act to Require MaineCare to Reimburse for Lactation Services
in the Homes of Eligible Persons**

Reference to the Committee on Health and Human Services suggested and ordered printed.


ROBERT B. HUNT
Clerk

Presented by Representative BOYER of Cape Elizabeth.
Cosponsored by Senator CARNEY of Cumberland and
Representatives: CLOUTIER of Lewiston, MILLIKEN of Blue Hill.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §3174-PPP** is enacted to read:

3 **§3174-PPP. Reimbursement for lactation services**

4 **1. Definition.** For the purposes of this section, "lactation services" means educational
5 or consultation services related to breastfeeding.

6 **2. Reimbursement.** The department shall provide reimbursement under the
7 MaineCare program for lactation services provided in a hospital or in the home of the
8 person eligible for the program. Lactation services may be provided by a health care
9 professional licensed under Title 32 acting within the health care professional's authorized
10 scope of practice or by a consultant or counselor who is certified by a national organization
11 that provides a national certification program in lactation consulting or lactation counseling
12 and is approved by the department.

13 **3. Eligibility for parents of covered children.** The parent breastfeeding a child who
14 is eligible for coverage under the MaineCare program established in section 3174-G,
15 subsection 1, paragraph B or the Children's Health Insurance Program established in section
16 3174-T, is eligible for services under this section even if the parent is not otherwise eligible
17 for MaineCare.

18 **4. Rulemaking.** The department shall adopt rules to implement this section. Rules
19 adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter
20 375, subchapter 2-A.

21 **Sec. 2. State plan amendment.** No later than January 1, 2026, the Department of
22 Health and Human Services shall apply to the United States Department of Health and
23 Human Services, Centers for Medicare and Medicaid Services for a state plan amendment
24 to implement the Maine Revised Statutes, Title 22, section 3174-PPP. The state plan
25 amendment application must allow for Medicaid reimbursement for lactation services
26 provided at the hospital or at the home of eligible persons that are performed by lactation
27 consultants certified by the International Board of Lactation Consultant Examiners or its
28 successor organization acting within the scope of practice.

29 **Sec. 3. Rulemaking.** Upon approval of a state plan amendment under section 2, the
30 Department of Health and Human Services shall adopt or amend rules within 6 months to
31 allow for reimbursement required pursuant to the Maine Revised Statutes, Title 22, section
32 3174-PPP.

33 **SUMMARY**

34 This bill requires the Department of Health and Human Services to reimburse for
35 lactation services in hospitals and in the homes of eligible persons. It requires the
36 department to reimburse for services provided by lactation consultants certified by the
37 International Board of Lactation Consultant Examiners. The department must apply for a
38 state plan amendment no later than January 1, 2026 and adopt or amend rules within 6
39 months of approval.