

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 137

S.P. 45

In Senate, January 9, 2007

**An Act To Enact the Recommendations of the Task Force To Study
Cervical Cancer Prevention, Detection and Education**

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator MARRACHÉ of Kennebec.
Cosponsored by Representative CAMPBELL of Newfield and
Senators: President EDMONDS of Cumberland, SULLIVAN of York, Representatives: CAIN
of Orono, CONOVER of Oakland, CRAVEN of Lewiston, GROSE of Woolwich, MILLER of
Somerville, ROSEN of Bucksport.

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

2 **PART A**

3 **Sec. A-1. 22 MRSA §3174-LL** is enacted to read:

4 **§3174-LL. Coverage for human papillomavirus vaccine**

5 **1. Coverage provided.** Beginning January 1, 2008, the department shall provide
6 coverage to MaineCare members for the human papillomavirus vaccine in accordance
7 with the federal Department of Health and Human Services, Centers for Disease Control
8 and Prevention recommended childhood and adolescent immunization schedule and
9 recommended adult immunization schedule.

10 **2. Rules.** The department shall adopt rules to implement this section. Rules adopted
11 pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375,
12 subchapter 2-A.

13 **Sec. A-2. Human papillomavirus vaccination; MaineCare reporting.** The
14 Department of Health and Human Services, Office of MaineCare Services shall provide
15 information regarding the rate of human papillomavirus vaccination among MaineCare
16 members to the Department of Health and Human Services, Maine Center for Disease
17 Control and Prevention for inclusion in the initial and final evaluation reports required
18 under Part D, section 3.

19 **Sec. A-3. State funding for the human papillomavirus vaccine.** Beginning
20 with state fiscal year 2007-08, the Legislature shall provide funding to the Department of
21 Health and Human Services, Maine Immunization Program to support the purchase and
22 distribution of the human papillomavirus vaccine and associated program operation costs.
23 The Legislature shall appropriate the funds necessary to provide the human
24 papillomavirus vaccine to all girls in the State 11 and 12 years of age after utilizing all
25 available federal funding and federally purchased vaccine.

26 **Sec. A-4. Maine Immunization Program to report on program funding**
27 **and vaccination rates.** The Department of Health and Human Services, Maine
28 Immunization Program shall report to the joint standing committee of the Legislature
29 having jurisdiction over health and human services matters regarding the status of
30 program funding and vaccination rates. The program shall submit an initial report to the
31 committee no later than January 30, 2008 and a 2nd report no later than January 30, 2010.
32 Each report must include:

33 1. Program budget information for the current year and previous 2 years, including
34 specific information regarding expenditures on the human papillomavirus vaccine;

35 2. Documentation of any funding shortage that exists between available funds and
36 the expenditures required to vaccinate 80% of Maine girls with the human papillomavirus
37 vaccine and 80% of Maine children with the other vaccines on the federal Centers for
38 Disease Control and Prevention recommended childhood and adolescent immunization
39 schedule; and

1 3. State and national immunization rates for the human papillomavirus vaccine and
2 the other vaccines on the federal Centers for Disease Control and Prevention
3 recommended childhood and adolescent immunization schedule.

4 **PART B**

5 **Sec. B-1. Statewide public education campaign regarding cervical cancer.**

6 The Department of Health and Human Services, Maine Breast and Cervical Health
7 Program, referred to in this section as “the program,” shall develop and implement a
8 statewide public education campaign regarding cervical cancer prevention and early
9 detection, including the importance of cervical cancer screening and the availability of
10 the human papillomavirus vaccine. In carrying out the campaign, the program shall:

11 1. Broadcast public service announcements, including information about cervical
12 cancer prevention and early detection, for all 12 months of the year;

13 2. Distribute printed information materials regarding cervical cancer to all sites that
14 receive program brochures and to additional locations statewide, including, but not
15 limited to, libraries, shopping malls, grocery stores, hair salons and health care facilities.
16 The program must also offer these informational materials to faith-based organizations;

17 3. Collaborate with the Department of Health and Human Services, Office of
18 Minority Health to develop specific outreach initiatives for racial and ethnic minority
19 populations in the State. Informational materials developed pursuant to subsection 2
20 must be translated into languages other than English, as appropriate; and

21 4. Consult with state and local organizations representing senior citizens and retired
22 persons to develop specific outreach initiatives to reach women over 60 years of age.

23 The program shall report its progress and results in implementing this section to the
24 Department of Health and Human Services, Maine Center for Disease Control and
25 Prevention for inclusion in the initial and final evaluation reports required under Part D,
26 section 3.

27 **Sec. B-2. School-based cervical cancer education initiatives.** The
28 Department of Health and Human Services, Maine Center for Disease Control and
29 Prevention, referred to in this section as “the center,” shall coordinate the development
30 and implementation of school-based cervical cancer education initiatives in accordance
31 with this section.

32 1. The center shall develop printed materials on cervical cancer prevention and early
33 detection appropriate for students in grades 6 to 12 and college students to be posted at
34 schools and universities. The center shall collaborate with the Department of Education
35 and the University of Maine System to coordinate the distribution and posting of
36 materials at public schools and universities. The center shall offer these materials to
37 private schools and colleges.

38 2. The center shall develop an educational pamphlet regarding the human
39 papillomavirus vaccine for students in the 5th grade. The center shall collaborate with

1 health education staff within the Department of Education, school nurses and health
2 coordinators to facilitate the distribution of the pamphlet in public schools. The center
3 shall provide copies of the pamphlet to all pediatricians and family physicians licensed in
4 the State and shall offer the pamphlet to private schools.

5 3. The center shall collaborate with health education staff of the Department of
6 Education to develop a listing of medical professionals willing to speak about cervical
7 cancer prevention in health education classes or other appropriate forums in public
8 schools on a voluntary basis.

9 4. The center shall seek grant funding to implement an activity-based cervical cancer
10 education initiative in schools. The center shall seek input from the Department of
11 Education in developing its proposal and applying for grant funding.

12 The center shall report its progress and results in implementing this section in the
13 initial and final evaluation reports required under Part D, section 3.

14 **Sec. B-3. Continuing medical education regarding cervical cancer.** The
15 Department of Health and Human Services, Maine Center for Disease Control and
16 Prevention shall collaborate with the Maine Medical Association's Committee on
17 Continuing Medical Education and Accreditation to identify and implement strategies to
18 expand continuing medical education opportunities regarding cervical cancer, including,
19 but not limited to, current clinical guidelines for cervical cancer screening, human
20 papillomavirus vaccines and emerging issues and technologies in cervical cancer
21 prevention, detection and treatment. The Maine Center for Disease Control and
22 Prevention shall encourage the Maine Medical Association to conduct outreach efforts to
23 promote cervical cancer continuing education offerings to its members and inform them
24 of the current status of the human papillomavirus vaccines, including availability, cost
25 and insurance coverage. The Maine Center for Disease Control and Prevention shall
26 report its progress and results in implementing this section in the initial and final
27 evaluation reports required under Part D, section 3.

28 **PART C**

29 **Sec. C-1. Medicaid waiver for family planning services.** The Department of
30 Health and Human Services, including representatives of the Office of MaineCare
31 Services and the Maine Breast and Cervical Health Program, in consultation with the
32 Family Planning Association of Maine, Inc., shall examine the potential costs and
33 benefits of obtaining a state Medicaid family planning waiver to provide cervical cancer
34 screening and related services to individuals who do not otherwise qualify for the state
35 MaineCare program. The examination must include an assessment of the potential value
36 of such a waiver to the State's efforts to promote cervical cancer prevention and early
37 detection. No later than January 1, 2008, the department shall make a recommendation
38 to the joint standing committee of the Legislature having jurisdiction over health and
39 human services matters regarding whether the State should apply to the federal
40 Department of Health and Human Services, Centers for Medicare and Medicaid Services
41 for a waiver.

1 **Sec. C-2. Maine Breast and Cervical Health Program eligibility**
2 **expansion.** The Department of Health and Human Services shall amend the rules for
3 the Maine Breast and Cervical Health Program to grant eligibility for cervical cancer
4 screening and related services to women 35 to 39 years of age who meet all other
5 eligibility criteria for the program. The program shall report its experience under this rule
6 change to the Department of Health and Human Services, Maine Center for Disease
7 Control and Prevention for inclusion in the initial and final evaluation reports required
8 under Part D, section 3.

9 **Sec. C-3. Maine Breast and Cervical Health Program screening**
10 **initiatives.** The Department of Health and Human Services, Maine Breast and Cervical
11 Health Program, referred to in this section as "the program," shall implement the
12 following initiatives to increase and improve cervical cancer screening:

13 1. The program shall collaborate with the Family Planning Association of Maine, Inc.
14 to develop ideas for outreach and coordination to increase cervical cancer screening
15 among women who are ineligible for the program, particularly women under 35 years of
16 age;

17 2. The program shall expand its special screening days. The expansion may include
18 adding more sites, adding more screening days at current sites or a combination of these
19 strategies, based on the program's assessed need and demand for services;

20 3. The program shall update its clinical guidelines for cervical cancer screening based
21 on a review of the most recent clinical guidelines for cervical cancer screening published
22 by the American Cancer Society, the American College of Obstetricians and
23 Gynecologists and the United States Preventive Services Task Force. The program shall
24 offer a professional education program on clinical guidelines for cervical cancer
25 screening after it has completed the update; and

26 4. The program shall coordinate a stakeholder group, including representatives of the
27 Department of Health and Human Services, Maine Comprehensive Cancer Control
28 Program, the State Employee Health Commission, the American Cancer Society and
29 health insurance carriers operating in the State, to explore options for encouraging
30 insured individuals to make and attend medical appointments for cancer screening,
31 including, but not limited to, cervical cancer screening.

32 The program shall report its progress and results in implementing this section to the
33 Department of Health and Human Services, Maine Center for Disease Control and
34 Prevention for inclusion in the initial and final evaluation reports required under Part D,
35 section 3.

36 **Sec. C-4. Maine Quality Forum review and report on health care system**
37 **initiatives affecting the delivery of cervical cancer screening services.** The
38 Maine Quality Forum shall identify and assess current initiatives within the state health
39 care system that may enhance the delivery of cervical cancer screening and follow-up
40 medical care, including computer-based clinical improvement systems to track and
41 manage patient care, provider incentives and health care quality and performance

1 measures. The forum shall report its findings and any recommendations to the
2 Department of Health and Human Services, Maine Center for Disease Control and
3 Prevention for inclusion in the initial evaluation report required under Part D, section 3.

4 **PART D**

5 **Sec. D-1. Cervical cancer incidence and prevention in racial and ethnic**
6 **minority populations.** The Department of Health and Human Services, Office of
7 Minority Health shall, in collaboration with the Department of Health and Human
8 Services, Maine Cancer Registry, the Department of Health and Human Services, Office
9 of Multicultural Affairs and the Department of Health and Human Services, Maine
10 Comprehensive Cancer Control Program, examine cervical cancer incidence in racial and
11 ethnic minority populations in the State and develop recommendations to improve
12 cervical cancer prevention and early detection in these populations. The examination
13 must include an assessment of:

- 14 1. Available data on cervical cancer incidence among racial and ethnic minorities;
- 15 2. Barriers to cervical cancer screening and treatment across different racial and
16 ethnic minorities; and
- 17 3. Best practices in public health education and outreach to racial and ethnic
18 minorities.

19 The Department of Health and Human Services, Office of Minority Health shall
20 report its findings and recommendations to the Department of Health and Human
21 Services, Maine Center for Disease Control and Prevention for inclusion in the initial
22 evaluation report required under section 3.

23 **Sec. D-2. Geographic variations in cervical cancer rates.** The Department
24 of Health and Human Services, Maine Cancer Registry shall, in collaboration with the
25 Department of Health and Human Services, Maine Breast and Cervical Health Program,
26 examine geographic variation in cervical cancer rates within the State, and in particular
27 the higher rates of cervical cancer observed in Washington County and Somerset County,
28 and shall explore reasons for the variation. The Department of Health and Human
29 Services, Maine Cancer Registry and the Department of Health and Human Services,
30 Maine Breast and Cervical Health Program shall consult with the American Cancer
31 Society, community organizations and health care providers to develop recommendations
32 for reducing the incidence of cervical cancer in Washington County and Somerset
33 County. The Department of Health and Human Services, Maine Cancer Registry shall
34 report its findings and recommendations to the Department of Health and Human
35 Services, Maine Center for Disease Control and Prevention for inclusion in the initial
36 evaluation report required under section 3.

37 **Sec. D-3. Evaluation of cervical cancer prevention, detection and**
38 **education initiatives.** The Department of Health and Human Services, Maine Center
39 for Disease Control and Prevention shall monitor and evaluate the State's progress in
40 cervical cancer prevention, detection and education in response to the work of the
41 Legislature's Task Force to Study Cervical Cancer Prevention, Detection and Education.

1 The center shall submit 2 evaluation reports to the joint standing committee of the
2 Legislature having jurisdiction over health and human services matters. The reports must
3 address the progress, status and outcomes of each recommendation contained in the final
4 report of the task force, including, but not limited to, each initiative required under this
5 Act. The initial evaluation report must be submitted no later than January 30, 2009, and
6 the final evaluation report must be submitted no later than January 30, 2011. After
7 review of the initial report, the joint standing committee of the Legislature having
8 jurisdiction over health and human services matters may report out legislation regarding
9 cervical cancer prevention, detection and education to the First Regular Session of the
10 124th Legislature. After review of the final report, the joint standing committee of the
11 Legislature having jurisdiction over health and human services matters may report out
12 legislation regarding cervical cancer prevention, detection and education to the First
13 Regular Session of the 125th Legislature.

14 **SUMMARY**

15 This bill implements the recommendations of the Task Force to Study Cervical
16 Cancer Prevention, Detection and Education.

17 Part A of the bill relates to the human papillomavirus vaccine. It specifically does the
18 following.

19 1. It requires the Department of Health and Human Services to provide coverage for
20 the vaccine under the MaineCare program.

21 2. It requires the Legislature to provide funding to the Department of Health and
22 Human Services, Maine Immunization Program for purchasing and distributing the
23 human papillomavirus vaccine to all girls 11 and 12 years of age.

24 3. It requires the Maine Immunization Program to report to the joint standing
25 committee of the Legislature having jurisdiction over health and human services matters
26 on the status of program funding and vaccination rates, including specific information on
27 the human papillomavirus vaccine, by January 30, 2008 and again by January 30, 2010.

28 Part B of the bill relates to improving public awareness and education regarding
29 cervical cancer prevention. It specifically does the following.

30 1. It requires the Department of Health and Human Services, Maine Breast and
31 Cervical Health Program to develop public education materials regarding cervical cancer
32 prevention and the human papillomavirus vaccine to be distributed to sites that receive
33 the program's materials, as well as other locations such as libraries, malls and health care
34 facilities. It requires the materials to be translated into languages other than English
35 when necessary.

36 2. It requires the Department of Health and Human Services, Maine Center for
37 Disease Control and Prevention to coordinate with the Department of Education and the
38 University of Maine System to develop educational materials for schools and universities.
39 In addition, it requires the center to develop an educational pamphlet for 5th grade
40 students and a voluntary speakers group for health education and other classes.

1 3. It requires the Maine Center for Disease Control and Prevention to collaborate
2 with the Maine Medical Association to develop and expand continuing medical education
3 opportunities related to cervical cancer, including appropriate screening guidelines and
4 vaccination materials.

5 Part C of the bill relates to expanding cervical cancer screening opportunities. It
6 specifically requires the following.

7 1. It requires the Department of Health and Human Services, including
8 representatives of the Office of MaineCare Services and the Maine Breast and Cervical
9 Health Program, to consult with the Family Planning Association of Maine, Inc., to
10 determine the potential costs and benefits of obtaining a federal Medicaid family planning
11 waiver to provide cervical cancer screening and related services to individuals that do not
12 currently qualify for MaineCare.

13 2. It requires the Department of Health and Human Services to expand eligibility for
14 the Maine Breast and Cervical Health Program to include women 35 to 39 years of age
15 who meet all other eligibility criteria for the program.

16 3. It requires the Maine Breast and Cervical Health Program to coordinate with the
17 Family Planning Association of Maine, Inc., to increase cervical cancer screening among
18 women under 35 years of age, expand screening days to new sites or additional days,
19 update screening guidelines and work with the Department of Health and Human
20 Services, Maine Comprehensive Cancer Control Program, the State Employee Health
21 Commission, the American Cancer Society and health insurance carriers to explore
22 options for encouraging people to attend cancer screenings.

23 4. It requires the Maine Quality Forum to identify and assess current initiatives
24 within the state health care system that may enhance delivery of cervical cancer screening
25 and follow-up care.

26 Part D relates to future research and evaluation of cervical cancer and prevention
27 efforts. It specifically does the following.

28 1. It requires the Department of Health and Human Services, Office of Minority
29 Health to collaborate with the Department of Health and Human Services, Maine Cancer
30 Registry, the Department of Health and Human Services, Office of Multicultural Affairs
31 and the Department of Health and Human Services, Maine Comprehensive Cancer
32 Control Program to examine cervical cancer incidence in racial and ethnic minorities in
33 the State and study barriers to screening and treatment and best practices for overcoming
34 those barriers.

35 2. It requires the Department of Health and Human Services, Maine Cancer Registry
36 to collaborate with the Department of Health and Human Services, Maine Breast and
37 Cervical Health Program to examine the higher incidence of cervical cancer in
38 Washington County and Somerset County to determine reasons for the variation and
39 develop recommendations for reducing cervical cancer in those counties.

1 3. It requires the Department of Health and Human Services, Maine Center for
2 Disease Control and Prevention to monitor and evaluate state progress in implementing
3 the task force's recommendations and report to the joint standing committee of the
4 Legislature having jurisdiction over health and human services matters by January 30,
5 2009 and again by January 30, 2011.