

# MAINE STATE LEGISLATURE

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# 125th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2012

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Legislative Document

No. 1694

H.P. 1246

House of Representatives, December 23, 2011

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**Resolve, Directing the Department of Health and Human Services  
To Review Rules Governing Reimbursement to MaineCare  
Recipients for Transportation to Freestanding Methadone Clinics**

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on December 21, 2011. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Clerk

Presented by Representative BURNS of Whiting.  
Cosponsored by Senator THOMAS of Somerset and  
Representatives: CRAY of Palmyra, DAVIS of Sangerville, HANLEY of Gardiner, VOLK of  
Scarborough, WILLETTE of Mapleton, Senators: LANGLEY of Hancock, MASON of  
Androscoggin, President RAYE of Washington.

1           **Sec. 1. Definitions. Resolved:** That, as used in this resolve, unless the context  
2 otherwise indicates, the following terms have the following meanings:

- 3           1. "Client" means a MaineCare recipient who receives treatment at a clinic;
- 4           2. "Clinic" means a freestanding methadone clinic within the State; and
- 5           3. "Community agency" means a community agency that provides transportation  
6 services for clients to clinics; and be it further

7           **Sec. 2. Review; rules. Resolved:** That the Department of Health and Human  
8 Services shall review reimbursement to clients for transportation to clinics and shall adopt  
9 rules to ensure uniformity in reimbursement throughout the State and to reduce the  
10 incidence of fraud. The department shall solicit input from community agencies  
11 throughout the State regarding the protocols used by the various agencies to schedule and  
12 verify appointments to clinics. The department shall also solicit input from district  
13 attorneys within the State regarding any instances of fraud in such reimbursement. Rules  
14 adopted pursuant to this section must include the following requirements:

15           1. In order to receive reimbursement for transportation to a clinic, a client must  
16 contact a community agency prior to the date of the scheduled appointment at the clinic  
17 and state that the client cannot afford to keep the appointment unless the client receives  
18 reimbursement;

19           2. Prior to providing transportation services, a community agency shall confirm the  
20 client's eligibility for MaineCare benefits. The department shall facilitate such  
21 confirmation by authorizing access by community agencies to MaineCare eligibility  
22 databases;

23           3. The client shall provide written confirmation of the client's current address at the  
24 time of the scheduled appointment;

25           4. The client shall file a form after each trip documenting mileage and tolls and the  
26 community agency shall confirm that mileage and tolls are reasonable;

27           5. A clinic shall require that a client seeking travel reimbursement sign in at the time  
28 of the provision of clinic services. The clinic shall share its appointment schedule for that  
29 client with the community agency;

30           6. A clinic shall deploy a video surveillance system sufficient to identify the drivers  
31 and occupants of all vehicles arriving at the clinic. Clinic staff shall confirm that a client  
32 requesting transportation reimbursement arrived in a vehicle at the appropriate time; and

33           7. If a client is found to have filed a false claim for reimbursement for transportation  
34 to a clinic, the clinic shall suspend approving transportation reimbursement for that client.  
35 The clinic shall report the fraud to the community agency and the community agency  
36 shall report the fraud to the department.

1 Rules adopted pursuant to this section are routine technical rules as defined in the  
2 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A; and be it further

3

4 **Sec. 3. Report. Resolved:** That the Department of Health and Human Services  
5 shall submit a report on its review and rules adopted pursuant to section 2 to the joint  
6 standing committee of the Legislature having jurisdiction over health and human services  
7 matters by December 15, 2012.

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### SUMMARY

9 This resolve directs the Department of Health and Human Services to review  
10 reimbursement to MaineCare recipients for transportation to freestanding methadone  
11 clinics and to adopt rules to ensure uniformity in reimbursement throughout the State and  
12 reduce the incidence of fraud. The department is directed to submit a report to the joint  
13 standing committee of the Legislature having jurisdiction over health and human services  
14 matters by December 15, 2012.