

MAINE STATE LEGISLATURE

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Min
SMB
A. C. A.

L.D. 1840

Date: 4/5/12 Minority

(Filing No. H-913)

HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
125TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "B" to H.P. 1361, L.D. 1840, Bill, "An Act To Limit MaineCare Reimbursement for Methadone Treatment"

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

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

§3174-UU. Methadone reimbursement limitations

Effective January 1, 2013, reimbursement under the MaineCare program for methadone for the treatment of addiction to opiates as defined in Title 17-A, section 1101, subsection 7 is limited to a lifetime maximum of 24 months, except that reimbursement may be provided for longer than 24 months if prior authorization is received from the department.

The department shall adopt rules to implement this section. Rules adopted pursuant to this section are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A. Prior to adopting rules under this section, the department shall seek input from stakeholders and experts in the field of substance abuse addiction and recovery, including, but not limited to, representatives of the Office of Substance Abuse and individuals with expertise in medication-assisted treatment.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)

Developmental Services Waiver - MaineCare 0987

Initiative: Provides funds for services under Chapter II, Section 21 of the MaineCare Benefits Manual, Home and Community Benefits for Members with Intellectual Disabilities or Autistic Disorder.

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "B" to H.P. 1361, L.D. 1840

1	GENERAL FUND	2011-12	2012-13
2	All Other	\$0	\$697,527
3			
4	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$697,527</u>

5 **Developmental Services Waiver - Supports Z006**
 6 Initiative: Provides funds for services under Chapter II, Section 29 of the MaineCare
 7 Benefits Manual, Support Benefits for Adults with Intellectual Disabilities or Autistic
 8 Disorder.

9	GENERAL FUND	2011-12	2012-13
10	All Other	\$0	\$232,509
11			
12	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$232,509</u>

13 **Mental Health Services - Community Medicaid 0732**
 14 Initiative: Reduces funding from savings from limiting MaineCare reimbursement for
 15 methadone for the treatment of addiction to opioids to a lifetime maximum of 24 months
 16 with prior authorization beyond 24 months.

17	GENERAL FUND	2011-12	2012-13
18	All Other	\$0	(\$573,308)
19			
20	GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$573,308)</u>

21 **Office of Substance Abuse - Medicaid Seed 0844**
 22 Initiative: Reduces funding from savings from limiting MaineCare reimbursement for
 23 methadone for the treatment of addiction to opioids to a lifetime maximum of 24 months
 24 with prior authorization beyond 24 months.

25	GENERAL FUND	2011-12	2012-13
26	All Other	\$0	(\$165,355)
27			
28	GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$165,355)</u>

29	HEALTH AND HUMAN SERVICES,		
30	DEPARTMENT OF (FORMERLY BDS)		
31	DEPARTMENT TOTALS	2011-12	2012-13
32			
33	GENERAL FUND	\$0	\$191,373
34		<u></u>	<u></u>

COMMITTEE AMENDMENT

1	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$191,373
2	HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)		
3	Medical Care - Payments to Providers 0147		
4	Initiative: Reduces funding from savings from limiting MaineCare reimbursement for		
5	methadone for the treatment of addiction to opioids to a lifetime maximum of 24 months		
6	with prior authorization beyond 24 months.		
7	GENERAL FUND	2011-12	2012-13
8	All Other	\$0	(\$753,765)
9			
10	GENERAL FUND TOTAL	\$0	(\$753,765)
11	FEDERAL EXPENDITURES FUND	2011-12	2012-13
12	All Other	\$0	(\$2,514,090)
13			
14	FEDERAL EXPENDITURES FUND TOTAL	\$0	(\$2,514,090)
15	Medical Care - Payments to Providers 0147		
16	Initiative: Provides funds to offset a reduction made in Public Law 2011, c. 477, Part M		
17	that reduced MaineCare reimbursement for methadone for the treatment of addiction to		
18	opioids from \$70 per week to \$60 per week in order to maintain reimbursement at \$70		
19	per week, retroactive to April 1, 2012.		
20	GENERAL FUND	2011-12	2012-13
21	All Other	\$0	\$562,392
22			
23	GENERAL FUND TOTAL	\$0	\$562,392
24	FEDERAL EXPENDITURES FUND	2011-12	2012-13
25	All Other	\$0	\$968,760
26			
27	FEDERAL EXPENDITURES FUND TOTAL	\$0	\$968,760
28	Medical Care - Payments to Providers 0147		
29	Initiative: Provides funds for services under Chapter II, Section 29 of the MaineCare		
30	Benefits Manual, Support Benefits for Adults with Intellectual Disabilities or Autistic		
31	Disorder.		

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1	FEDERAL EXPENDITURES FUND	2011-12	2012-13
2	All Other	\$0	\$386,333
3			
4	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$386,333</u>

5 **Medical Care - Payments to Providers 0147**
 6 Initiative: Provides funds for services under Chapter II, Section 21 of the MaineCare
 7 Benefits Manual, Home and Community Benefits for Members with Intellectual
 8 Disabilities or Autistic Disorder.

9	FEDERAL EXPENDITURES FUND	2011-12	2012-13
10	All Other	\$0	\$1,158,997
11			
12	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$1,158,997</u>

13	HEALTH AND HUMAN SERVICES,		
14	DEPARTMENT OF (FORMERLY DHS)		
15	DEPARTMENT TOTALS	2011-12	2012-13
16			
17	GENERAL FUND	\$0	(\$191,373)
18	FEDERAL EXPENDITURES FUND	\$0	\$0
19			
20	DEPARTMENT TOTAL - ALL FUNDS	<u>\$0</u>	<u>(\$191,373)</u>

21	SECTION TOTALS	2011-12	2012-13
22			
23	GENERAL FUND	\$0	\$0
24	FEDERAL EXPENDITURES FUND	\$0	\$0
25			
26	SECTION TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$0</u>
27			

28 **SUMMARY**

29 This amendment is the minority report of the committee. The amendment removes
 30 from the bill the requirement that methadone services reimbursed under the MaineCare
 31 program be accessed at the clinic closest to the home of the MaineCare member. The
 32 amendment removes from the bill the directive to the Department of Health and Human
 33 Services to review MaineCare transportation services because a similar directive was
 34 included by the committee in the committee amendment to L.D. 1694. The amendment
 35 changes the rulemaking to major substantive rules and adds a requirement that the
 36 Department of Health and Human Services seek input for the prior authorization rules
 37 from stakeholders and experts in the field of substance abuse addiction and recovery,
 38 including, but not limited to, representatives of the Office of Substance Abuse and

COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT "*B*" to H.P. 1361, L.D. 1840

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individuals with expertise in medication-assisted treatment. The amendment restores the \$10 per week rate cut to methadone clinics enacted in Public Law 2011, chapter 477, and provides funding for services to persons with intellectual disabilities. The amendment also adds an appropriations and allocations section.

FISCAL NOTE REQUIRED

(See attached)



125th MAINE LEGISLATURE

LD 1840

LR 2680(03)

An Act To Limit MaineCare Reimbursement for Methadone Treatment

Fiscal Note for Bill as Amended by Committee Amendment "B" (H-913)
Committee: Health and Human Services

Fiscal Note Required: Yes

Fiscal Note

	FY 2011-12	FY 2012-13	Projections FY 2013-14	Projections FY 2014-15
Net Cost (Savings)				
General Fund	\$0	\$0	\$0	\$0
Appropriations/Allocations				
General Fund	\$0	\$0	\$0	\$0
Federal Expenditures Fund	\$0	\$0	\$0	\$0
Revenue				
Federal Expenditures Fund	\$0	\$0	\$0	\$0

Fiscal Detail and Notes

This bill makes offsetting adjustments to appropriations and allocations and has no net effect on General Fund appropriations in fiscal year 2012-13. It includes General Fund savings of \$1,492,428 from establishing a 24 month lifetime limit on MaineCare reimbursement for methadone for the treatment of addiction to opioids with prior authorization beyond 24 months. It also includes General Funding spending of \$562,392 to restore MaineCare reimbursement for methadone for the treatment of addiction to opioids from \$60 to \$70 per week and provides \$930,036 for waiver services for adults with intellectual disabilities.