

# MAINE STATE LEGISLATURE

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Date: 6/18/13

Majority

L.D. 951  
(Filing No. H-559)

**HEALTH AND HUMAN SERVICES**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
126TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 664, L.D. 951, Bill, "An Act To Repeal the 2-year Limit on Methadone and Suboxone Treatments under MaineCare"

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

**'An Act To Amend the Prior Authorization Process for Methadone and Suboxone Treatments under MaineCare'**

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

**'Sec. 1. 22 MRSA §3174-SS, sub-§1**, as enacted by PL 2011, c. 477, Pt. I, §1, is repealed and the following enacted in its place:

1. Twenty-four month limit. Beginning January 1, 2013, reimbursement under the MaineCare program for buprenorphine and naloxone combination drugs for the treatment of addiction to opioids is limited to a total of 24 months except that coverage must be provided beyond 24 months if one or more of the following apply:

A. The individual is pregnant, has a serious and persistent mental illness or resides with a child under 3 years of age for whom the individual is primarily responsible;

B. The individual is taking a daily maintenance amount of 4 milligrams or less; or

C. The department gives prior authorization for coverage.

The 24-month limit includes months prior to January 1, 2013 for which the individual received coverage.

The department shall adopt rules to implement this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

**Sec. 2. 22 MRSA §3174-VV**, as reallocated by RR 2011, c. 2, §27, is repealed and the following enacted in its place:

**COMMITTEE AMENDMENT**

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**§3174-VV. Methadone reimbursement limitations**

**1. Twenty-four month limit.** Effective January 1, 2013, reimbursement under the MaineCare program for methadone for the treatment of addiction to opioids is limited to a lifetime maximum of 24 months, except that coverage must be provided beyond 24 months if one of the following apply:

A. The individual is pregnant, has a serious and persistent mental illness or resides with a child under 3 years of age for whom the individual is primarily responsible;

B. The individual is taking an adequate daily amount that is considered to be a maintenance amount; or

C. The department gives prior authorization for coverage.

**2. Rulemaking.** The department shall adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A. The rules must include a determination of an amount considered a maintenance amount pursuant to subsection 1, paragraph B.

**Sec. 3. Department of Health and Human Services to increase MaineCare reimbursement rates.** The Department of Health and Human Services shall amend its MaineCare rules regarding reimbursement rates paid to methadone clinics to increase the rate from \$60 a week to \$70 a week beginning October 1, 2013.

**Sec. 4. Appropriations and allocations.** The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)**

**Mental Health Services - Community Medicaid 0732**

Initiative: Provides funds to allow MaineCare reimbursement for methadone for the treatment of addiction to opioids under certain conditions.

<b>GENERAL FUND</b>	<b>2013-14</b>	<b>2014-15</b>
All Other	\$0	\$208,848
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$208,848</b>

**Office of Substance Abuse - Medicaid Seed 0844**

Initiative: Provides funds to allow MaineCare reimbursement for methadone for the treatment of addiction to opioids under certain conditions.

<b>GENERAL FUND</b>	<b>2013-14</b>	<b>2014-15</b>
All Other	\$0	\$60,237
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$60,237</b>

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COMMITTEE AMENDMENT "A" to H.P. 664, L.D. 951

1	<b>HEALTH AND HUMAN SERVICES,</b>		
2	<b>DEPARTMENT OF (FORMERLY BDS)</b>		
3	<b>DEPARTMENT TOTALS</b>	<b>2013-14</b>	<b>2014-15</b>
4			
5	<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$269,085</b>
6			
7	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$269,085</b>

8 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**

9 **Medical Care - Payments to Providers 0147**

10 Initiative: Provides funds to allow MaineCare reimbursement for buprenorphine and  
11 naloxone combination drugs for the treatment of addiction to opioids under certain  
12 conditions.

13	<b>GENERAL FUND</b>	<b>2013-14</b>	<b>2014-15</b>
14	All Other	\$207,956	\$209,345
15			
16	<b>GENERAL FUND TOTAL</b>	<b>\$207,956</b>	<b>\$209,345</b>

17	<b>FEDERAL EXPENDITURES FUND</b>	<b>2013-14</b>	<b>2014-15</b>
18	All Other	\$336,503	\$335,115
19			
20	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$336,503</b>	<b>\$335,115</b>

21 **Medical Care - Payments to Providers 0147**

22 Initiative: Provides funds to allow MaineCare reimbursement for methadone for the  
23 treatment of addiction to opioids under certain conditions.

24	<b>GENERAL FUND</b>	<b>2013-14</b>	<b>2014-15</b>
25	All Other	\$0	\$329,342
26			
27	<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$329,342</b>

28	<b>FEDERAL EXPENDITURES FUND</b>	<b>2013-14</b>	<b>2014-15</b>
29	All Other	\$0	\$957,949
30			
31	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$957,949</b>

**COMMITTEE AMENDMENT**

1	<b>HEALTH AND HUMAN SERVICES,</b>		
2	<b>DEPARTMENT OF (FORMERLY DHS)</b>		
3	<b>DEPARTMENT TOTALS</b>	<b>2013-14</b>	<b>2014-15</b>
4			
5	<b>GENERAL FUND</b>	<b>\$207,956</b>	<b>\$538,687</b>
6	<b>FEDERAL EXPENDITURES FUND</b>	<b>\$336,503</b>	<b>\$1,293,064</b>
7			
8	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$544,459</b>	<b>\$1,831,751</b>
9	<b>SECTION TOTALS</b>	<b>2013-14</b>	<b>2014-15</b>
10			
11	<b>GENERAL FUND</b>	<b>\$207,956</b>	<b>\$807,772</b>
12	<b>FEDERAL EXPENDITURES FUND</b>	<b>\$336,503</b>	<b>\$1,293,064</b>
13			
14	<b>SECTION TOTAL - ALL FUNDS</b>	<b>\$544,459</b>	<b>\$2,100,836</b>

15 **Sec. 5. Appropriations and allocations.** The following appropriations and  
 16 allocations are made.

17 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**

18 **Medical Care - Payments to Providers 0147**

19 Initiative: Provides funds to increase reimbursement rates paid to methadone clinics from  
 20 \$60 a week to \$70 a week beginning October 1, 2013.

21	<b>GENERAL FUND</b>	<b>2013-14</b>	<b>2014-15</b>
22	All Other	\$370,383	\$497,141
23			
24	<b>GENERAL FUND TOTAL</b>	<b>\$370,383</b>	<b>\$497,141</b>
25	<b>FEDERAL EXPENDITURES FUND</b>	<b>2013-14</b>	<b>2014-15</b>
26	All Other	\$599,333	\$795,813
27			
28	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$599,333</b>	<b>\$795,813</b>
29			

30 **SUMMARY**

31 This amendment replaces the bill and is the majority report of the committee. The  
 32 amendment amends the prior authorization process for methadone and so-called  
 33 Suboxone treatments under MaineCare. It allows for the continuation of coverage,  
 34 without prior authorization, if the individual receiving the treatment is pregnant, has  
 35 serious and persistent mental illness or resides with a child under 3 years of age for whom  
 36 the individual is primarily responsible. It also allows an individual who is on a low daily

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COMMITTEE AMENDMENT "A" to H.P. 664, L.D. 951

1 dose that is considered a maintenance dose to continue coverage without prior  
2 authorization. For Suboxone, this amount is 4 milligrams. The maintenance dose for  
3 methadone will be determined in the Department of Health and Human Services rules.  
4 The amendment also directs the department to increase the reimbursement rates paid to  
5 methadone clinics from \$60 a week to \$70 a week.

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**FISCAL NOTE REQUIRED**

**(See attached)**

**COMMITTEE AMENDMENT**



# 126th MAINE LEGISLATURE

LD 951

LR 1577(02)

## An Act To Repeal the 2-year Limit on Methadone and Suboxone Treatments under MaineCare

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-559)  
 Committee: Health and Human Services

Fiscal Note Required: Yes

### Fiscal Note

	FY 2013-14	FY 2014-15	Projections FY 2015-16	Projections FY 2016-17
<b>Net Cost (Savings)</b>				
General Fund	\$578,339	\$1,304,913	\$1,903,338	\$1,903,338
<b>Appropriations/Allocations</b>				
General Fund	\$578,339	\$1,304,913	\$1,903,338	\$1,903,338
Federal Expenditures Fund	\$935,836	\$2,088,877	\$3,046,825	\$3,046,825

#### Fiscal Detail and Notes

This bill includes General Fund appropriations totalling \$578,339 in fiscal year 2013-14 and \$1,304,913 in fiscal year 2014-15 for the Department of Health and Human Services. It includes a General Fund appropriation of \$207,956 in fiscal year 2013-14 and \$807,772 in fiscal year 2014-15 to allow MaineCare reimbursement for buprenorphine and naloxone combination drugs and methadone for the treatment of addiction to opioids under certain conditions. The General Fund cost to increase the MaineCare rate paid to methadone clinics is \$370,383 in fiscal year 2013-14 and \$497,141 in fiscal year 2014-15.