

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 185

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H.P. 141

House of Representatives, January 24, 2017

**An Act To Establish a Pilot Project for Medicaid Reimbursement  
for Acupuncture Treatment of Substance Abuse Disorders**

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

A handwritten signature in cursive script that reads "R. B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative MALABY of Hancock.  
Cosponsored by Representatives: CHACE of Durham, HARVELL of Farmington, HEAD of  
Bethel, NADEAU of Winslow, PERRY of Calais.

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

2 **Sec. 1. 22-A MRSA §203, sub-§5** is enacted to read:

3 **5. Pilot projects.** The department shall develop pilot projects and demonstration  
4 projects required by law, and shall apply for any authorization necessary to undertake  
5 such projects.

6 **Sec. 2. Acupuncture pilot project.** By January 1, 2018, the Department of  
7 Health and Human Services and the department's office of substance abuse and mental  
8 health services shall apply for authorization from the United States Department of Health  
9 and Human Services, Centers for Medicare and Medicaid Services to develop a pilot  
10 project in accordance with this section to treat alcohol abuse disorders, substance abuse  
11 disorders and co-occurring disorders using the National Acupuncture Detoxification  
12 Association auricular acupuncture protocol.

13 **1. Pilot project standards.** The treatment under the pilot project must be performed  
14 by project staff who have been trained to perform the National Acupuncture  
15 Detoxification Association auricular acupuncture protocol, who practice acupuncture  
16 within the scope of their license in this State and whose licenses to practice are in good  
17 standing. The Department of Health and Human Services and the department's office of  
18 substance abuse and mental health services shall consult with a statewide association of  
19 licensed acupuncturists to establish treatment standards that are consistent with the  
20 National Acupuncture Detoxification Association auricular acupuncture protocol.

21 **2. Patient limits and financing.** The pilot project must be limited to a finite number  
22 of patients determined by the Department of Health and Human Services and the  
23 department's office of substance abuse and mental health services and may last no longer  
24 than 2 years. Acupuncture treatment under the project must be reimbursable as allowed  
25 under the United States Social Security Act, Title XIX and it must be developed and  
26 implemented in a manner that ensures that it will be cost-neutral or will result in savings  
27 to the MaineCare program.

28 **3. Report.** The Department of Health and Human Services and the department's  
29 office of substance abuse and mental health services shall submit a report on the results of  
30 the pilot project, including recommendations for continuing the project, to the joint  
31 standing committee of the Legislature having jurisdiction over health and human services  
32 matters at the conclusion of the pilot project.

33 **SUMMARY**

34 This bill requires the Department of Health and Human Services and the department's  
35 office of substance abuse and mental health services to apply by January 1, 2018 for  
36 authorization from the United States Department of Health and Human Services, Centers  
37 for Medicare and Medicaid Services to develop a pilot project to treat alcohol abuse  
38 disorders, substance abuse disorders and co-occurring disorders using the National  
39 Acupuncture Detoxification Association auricular acupuncture protocol. The bill requires  
40 the department to consult with a statewide association representing licensed

1       acupuncturists in the establishment of treatment standards. The bill requires that the  
2       treatment be provided by staff who are licensed to practice acupuncture in the State and  
3       whose licenses are in good standing. The project may last no longer than 2 years and  
4       must be reimbursable as allowed under the United States Social Security Act and be cost-  
5       neutral or result in savings to the MaineCare program. The department and the office  
6       must report their findings to the joint standing committee of the Legislature having  
7       jurisdiction over health and human services matters at the end of the project.