

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 688

H.P. 479

House of Representatives, February 28, 2017

### An Act To Provide MaineCare Coverage for Music Therapy

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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 HAMANN of South Portland.  
Cosponsored by Senator CHIPMAN of Cumberland and  
Representatives: HEAD of Bethel, MADIGAN of Waterville, MALABY of Hancock, PERRY  
of Calais, PIERCE of Falmouth, Senators: BREEN of Cumberland, GRATWICK of  
Penobscot.

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

2 **Sec. 1. 22 MRSA §3174-ZZ** is enacted to read:

3 **§3174-ZZ. Music therapy reimbursement**

4 **1. Definitions.** As used in this section, the following terms have the following  
5 meanings.

6 A. "Music intervention" means, without limitation, music improvisation, receptive  
7 music listening with and without imagery, song writing, lyric discussion, singing,  
8 music performance, music-assisted education, music-assisted relaxation, music-based  
9 patient education, use of electronic music technology and movement to music.

10 B. "Music therapy" means the clinical and evidence-based application of music  
11 interventions to accomplish individualized goals for clients of all ages and ability  
12 levels for purposes of assessment and treatment.

13 **2. Reimbursement.** Upon receipt of written approval from the United States  
14 Department of Health and Human Services, Centers for Medicare and Medicaid Services  
15 to provide Medicare and Medicaid coverage for music therapy services, the department  
16 shall reimburse under the MaineCare program for all music therapy services provided to a  
17 Medicaid recipient or to a Medicare recipient by an individual who holds a current and  
18 valid national certification as a music therapist from a national music therapy certification  
19 board.

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

23 **Sec. 2. Medicare and Medicaid state plan amendment or waiver.** The  
24 Department of Health and Human Services shall prepare and submit a Medicare and  
25 Medicaid state plan amendment or waiver as required to the United States Department of  
26 Health and Human Services, Centers for Medicare and Medicaid Services by October 1,  
27 2017 that provides or requests, as appropriate, Medicare and Medicaid coverage for  
28 music therapy services.

29 **SUMMARY**

30 This bill requires music therapy services to be reimbursed under the MaineCare  
31 program upon approval of coverage by the United States Department of Health and  
32 Human Services, Centers for Medicare and Medicaid Services. The Department of  
33 Health and Human Services is directed to adopt routine technical rules to implement this  
34 requirement.