

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

MAS

1  
OWY  
K. O. 2/5

Date: 4/6/18 Majority

L.D. 1868  
(Filing No. H-729)

3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36

**HEALTH AND HUMAN SERVICES**

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
128TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1304, L.D. 1868, "Resolve, To Increase Funding for Evidence-based Therapies for Treating Emotional and Behavioral Problems in Children"

Amend the resolve by striking out everything after the emergency preamble and before the emergency clause and inserting the following:

**Sec. 1. Department of Health and Human Services to increase MaineCare reimbursement for outpatient psychosocial treatments for children. Resolved:** That the Department of Health and Human Services shall increase reimbursement rates under rule Chapter 101: MaineCare Benefits Manual, Chapters II and III, Section 65 for multisystemic therapy, multisystemic therapy for problem sexualized behavior and functional family therapy by 20% for the period from the effective date of this resolve to June 30, 2019; and be it further

**Sec. 2. Rate study. Resolved:** That the Department of Health and Human Services shall contract with a 3rd party to conduct a rate study of reimbursement rates under rule Chapter 101: MaineCare Benefits Manual, Chapters II and III, Section 65 for multisystemic therapy, multisystemic therapy for problem sexualized behavior and functional family therapy. The rate study must develop a rate that is set on a per case per week basis. The rate study must also take into account the costs to providers of delivering the services, including additional training, and maintenance of fidelity to the treatment models. The rate study must be completed no later than December 1, 2018; and be it further

**Sec. 3. Report. Resolved:** That the Department of Health and Human Services shall submit a report to the joint standing committee of the Legislature having jurisdiction over health and human services matters with the findings of the rate study conducted pursuant to section 2 no later than January 30, 2019; and be it further

**Sec. 4. Rulemaking. Resolved:** That the Department of Health and Human Services is authorized to adopt rules to implement new rates developed pursuant to the rate study in section 2 as long as those rates are no lower than the rates of reimbursement

**COMMITTEE AMENDMENT**

ROW 1

COMMITTEE AMENDMENT "A" to H.P. 1304, L.D. 1868

1 that exist on April 1, 2018 and the federal Department of Health and Human Services,  
2 Centers for Medicare and Medicaid Services approves the reimbursement rates. Rules  
3 adopted pursuant to this section are routine technical rules as defined in the Maine  
4 Revised Statutes, Title 5, chapter 375, subchapter 2-A; and be it further

5 **Sec. 5. Appropriations and allocations. Resolved:** That the following  
6 appropriations and allocations are made.

7 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**  
8 **Medical Care - Payments to Providers 0147**

9 Initiative: Provides funding for a one-time increase to certain rates under rule Chapter  
10 101: MaineCare Benefits Manual, Chapters II and III, Section 65 by 20% until June 30,  
11 2019.

12	<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
13	All Other	\$0	\$212,306
14			
15	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$212,306</u>

16	<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
17	All Other	\$0	\$385,318
18			
19	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$385,318</u>

20 **Office of MaineCare Services 0129**

21 Initiative: Provides funding to contract with a 3rd party to conduct a rate study of certain  
22 rates under rule Chapter 101: MaineCare Benefits Manual, Chapters II and III, Section 65  
23 to be completed no later than December 1, 2018.

24	<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
25	All Other	\$0	\$50,000
26			
27	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$50,000</u>

28	<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
29	All Other	\$0	\$50,000
30			
31	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$50,000</u>

# COMMITTEE AMENDMENT

10/17/18

1  
2  
3  
4  
5  
6  
7  
8  
9

<b>HEALTH AND HUMAN SERVICES, DEPARTMENT OF DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$262,306</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>\$0</b>	<b>\$435,318</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$697,624</b>

10

**SUMMARY**

11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

This amendment, which is the majority report of the committee, replaces the resolve. It requires the Department of Health and Human Services to increase reimbursement rates for multisystemic therapy, multisystemic therapy for problem sexualized behavior and functional family therapy by 20% until June 30, 2019. It requires the department to contract for a 3rd-party rate study of the reimbursement rates for those therapies, including developing a rate set on a per case per week basis rather than the current 15-minute increments. The rate study must also take into account the costs to providers of delivering the services, including additional training, and maintenance of fidelity to the treatment models. The rate study must be completed no later than December 1, 2018. The department must submit a report on the results of the study to the joint standing committee of the Legislature having jurisdiction over health and human services matters no later than January 30, 2019. The department is authorized to implement new rates through rulemaking as long as the rates are no lower than those that exist on April 1, 2018 and the rates are approved by the federal Department of Health and Human Services, Centers for Medicare and Medicaid Services. It also adds an appropriations and allocations section.

27

**FISCAL NOTE REQUIRED**

28

(See attached)



# 128th MAINE LEGISLATURE

LD 1868

LR 2909(02)

Resolve, To Increase Funding for Evidence-based Therapies for Treating Emotional and Behavioral Problems in Children

Fiscal Note for Bill as Amended by Committee Amendment 'A (H-729)

Committee: Health and Human Services

Fiscal Note Required: Yes

## Fiscal Note

	FY 2017-18	FY 2018-19	Projections FY 2019-20	Projections FY 2020-21
<b>Net Cost (Savings)</b>				
General Fund	\$0	\$262,306	\$0	\$0
<b>Appropriations/Allocations</b>				
General Fund	\$0	\$262,306	\$0	\$0
Federal Expenditures Fund	\$0	\$435,318	\$0	\$0
<b>Revenue</b>				
Federal Expenditures Fund	\$0	\$435,318	\$0	\$0

### Fiscal Detail and Notes

The bill includes one-time General Fund appropriations to the Department of Health and Human Services of \$262,306 in fiscal year 2018-19 for a one-time increase to certain rates under rule Chapter 101, MaineCare Benefits Manual, Chapters II and III, Section 65 by 20% until June 30th, 2019 and to contract with a third party to conduct a rate study of those rates to be completed no later than December 1st, 2018. Federal Expenditures Fund allocations are also included for the FMAP match.