

MAINE STATE LEGISLATURE

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HEALTH AND HUMAN SERVICES

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

129TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 219, L.D. 706, Bill, "An Act To Reduce the Incidence of Obesity and Chronic Disease in the State"

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

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

§3174-BBB. Medical nutrition therapy; rules

The department shall provide for the reimbursement under the MaineCare program for medical nutrition therapy services to treat any medical diagnosis, including, but not limited to, obesity, unhealthy weight, hypertension, diabetes, prediabetes, disorders of lipid metabolism, HIV infection, unintended weight loss in older adults, chronic kidney disease, gastrointestinal conditions, malnutrition and inappropriate eating habits. Medical nutrition therapy services may be provided by a physician licensed pursuant to Title 32, chapter 36 or 48, a physician assistant licensed pursuant to Title 32, chapter 36 or 48, a dietitian licensed pursuant to Title 32, chapter 104 or a nurse practitioner licensed pursuant to Title 32, chapter 31 in any office, facility or other setting in which the physician, physician assistant, dietitian or nurse practitioner practices.

As used in this section, "medical nutrition therapy" means a therapeutic approach to treating medical conditions and their associated symptoms by use of counseling and a specifically tailored diet devised and monitored by a physician licensed pursuant to Title 32, chapter 36 or 48, a physician assistant licensed pursuant to Title 32, chapter 36 or 48, a dietitian licensed pursuant to Title 32, chapter 104 or a nurse practitioner licensed pursuant to Title 32, chapter 31.

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

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

COMMITTEE AMENDMENT

1 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

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

3 Initiative: Provides appropriations and allocations for reimbursement under the
4 MaineCare program for medical nutrition therapy.

5	GENERAL FUND	2019-20	2020-21
6	All Other	\$51,737	\$51,995
7			
8	GENERAL FUND TOTAL	<u>\$51,737</u>	<u>\$51,995</u>

9	FEDERAL EXPENDITURES FUND	2019-20	2020-21
10	All Other	\$91,896	\$91,638
11			
12	FEDERAL EXPENDITURES FUND TOTAL	<u>\$91,896</u>	<u>\$91,638</u>

14 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
15 section number to read consecutively.

16 **SUMMARY**

17 This amendment, which is the unanimous report of the committee, amends the bill by
18 changing the term "medical nutritional therapy" to "medical nutrition therapy" to
19 accurately reflect common usage of the term. It adds physician assistants to the group of
20 medical providers authorized to provide medical nutrition therapy that is reimbursable
21 under MaineCare. It clarifies that medical nutrition therapy is reimbursable by
22 MaineCare in any setting in which the authorized medical provider practices. It also
23 removes the provisions of the bill that provide for the reimbursement under the
24 MaineCare program for certain prescription drugs to treat obesity.

25 **FISCAL NOTE REQUIRED**

26 (See attached)



129th MAINE LEGISLATURE

LD 706

LR 920(02)

An Act To Reduce the Incidence of Obesity and Chronic Disease in the State

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-33)

Committee: Health and Human Services

Fiscal Note Required: Yes

Fiscal Note

	FY 2019-20	FY 2020-21	Projections FY 2021-22	Projections FY 2022-23
Net Cost (Savings)				
General Fund	\$51,737	\$51,995	\$51,995	\$51,995
Appropriations/Allocations				
General Fund	\$51,737	\$51,995	\$51,995	\$51,995
Federal Expenditures Fund	\$91,896	\$91,638	\$91,638	\$91,638
Revenue				
Federal Expenditures Fund	\$91,896	\$91,638	\$91,638	\$91,638

Fiscal Detail and Notes

The bill includes General Fund appropriations to the Department of Health and Human Services of \$51,737 in fiscal year 2019-20 and \$51,995 in fiscal year 2020-21 for reimbursement under the MaineCare program for medical nutritional therapy. Federal Expenditures Fund allocations are also included for the FMAP match.