

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 706

S.P. 219

In Senate, February 11, 2019

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

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator LIBBY of Androscoggin.
Cosponsored by Senators: CLAXTON of Androscoggin, GRATWICK of Penobscot,
SANBORN, L. of Cumberland, Representatives: CRAVEN of Lewiston, HYMANSON of
York, MADIGAN of Waterville, PERRY of Calais.

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

2 **Sec. 1. 22 MRSA §§3174-BBB and 3174-CCC** are enacted to read:

3 **§3174-BBB. Medical nutritional therapy; rules**

4 The department shall provide for the reimbursement under the MaineCare program
5 for medical nutritional therapy services to treat obesity, unhealthy weight, hypertension,
6 diabetes, prediabetes, disorders of lipid metabolism, HIV infection, unintended weight
7 loss in older adults, chronic kidney disease, gastrointestinal conditions, malnutrition and
8 inappropriate eating habits. Medical nutritional therapy services may be provided by
9 physicians licensed pursuant to Title 32, chapter 36 or 48, dietitians licensed pursuant to
10 Title 32, chapter 104 or nurse practitioners licensed pursuant to Title 32, chapter 31 who
11 practice in hospitals, outpatient settings or private offices.

12 As used in this section, "medical nutritional therapy" means a therapeutic approach to
13 treating medical conditions and their associated symptoms by use of counseling and a
14 specifically tailored diet devised and monitored by a physician licensed pursuant to Title
15 32, chapter 36 or 48, a dietitian licensed pursuant to Title 32, chapter 104 or a nurse
16 practitioner licensed pursuant to Title 32, chapter 31.

17 The department shall adopt rules to implement this section. Rules adopted pursuant
18 to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter
19 2-A.

20 **§3174-CCC. Prescription drug therapy; rules**

21 The department shall provide for the reimbursement under the MaineCare program
22 for prescription drug therapy services to treat obesity, unhealthy weight, hypertension,
23 diabetes, prediabetes, disorders of lipid metabolism, HIV infection, unintended weight
24 loss in older adults, chronic kidney disease, gastrointestinal conditions, malnutrition and
25 inappropriate eating habits. Prescription drug therapy services may be provided by
26 physicians licensed pursuant to Title 32, chapter 36 or 48 or nurse practitioners licensed
27 pursuant to Title 32, chapter 31 who practice in hospitals, outpatient settings or private
28 offices.

29 The department shall adopt rules to implement this section. Rules adopted pursuant
30 to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter
31 2-A.

32 **SUMMARY**

33 This bill provides for reimbursement under the MaineCare program for medical
34 nutritional therapy and prescription drug therapy.