

MAINE STATE LEGISLATURE

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SMG
H. 138

Date: 4/23/19

Majority

(Filing No. H-138)

HEALTH AND HUMAN SERVICES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 686, L.D. 931, Bill, "An Act Concerning the Department of Health and Human Services"

Amend the bill by striking out the title and substituting the following:

'An Act To Reduce Obesity by Reimbursing for Prescription Drug Therapy Provided by a Member of a Weight Management Team'

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. Prescription drug therapy for obesity; rules

The department shall provide for reimbursement under the MaineCare program for prescription drug therapy services to treat obesity that are provided by a physician licensed pursuant to Title 32, chapter 36 or 48, physician assistant licensed pursuant to Title 32, chapter 36 or 48 or nurse practitioner licensed pursuant to Title 32, chapter 31 who is part of a weight management team. Prescription drug therapy services may be provided in any office, facility or other setting in which the medical provider practices.

For purposes of this section, "weight management team" means a multidisciplinary group of providers who provide comprehensive weight management services to a patient, including, but not limited to, behavioral health services; medical nutrition therapy; physical activity, including but not limited to physical therapy, athletic training, or kinesiology; or specialized medical services, including but not limited to services related to endocrinology, diabetes, metabolism or bariatric surgery. A provider is not required to practice in the same setting as other members of the team to be considered part of a weight management team under this section. As used in this section, "medical nutrition therapy" means a therapeutic approach to treating obesity and its 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.

COMMITTEE AMENDMENT

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.

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

Initiative: Provides appropriations and allocations for reimbursement under the MaineCare program for obesity treatment medication.

10	GENERAL FUND	2019-20	2020-21
11	All Other	\$3,949,213	\$2,889,105
12			
13	GENERAL FUND TOTAL	<u>\$3,949,213</u>	<u>\$2,889,105</u>

14	FEDERAL EXPENDITURES FUND	2019-20	2020-21
15	All Other	\$9,517,922	\$6,509,885
16			
17	FEDERAL EXPENDITURES FUND TOTAL	<u>\$9,517,922</u>	<u>\$6,509,885</u>

18	OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
19	All Other	\$1,882,036	\$5,018,761
20			
21	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$1,882,036</u>	<u>\$5,018,761</u>

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

SUMMARY

This amendment, which is the majority report of the committee, strikes the bill, which is a concept draft, to provide for reimbursement under the MaineCare program for prescription drug therapy services to treat obesity. The amendment also adds an appropriations and allocations section.

FISCAL NOTE REQUIRED

(See attached)



129th MAINE LEGISLATURE

LD 931

LR 1041(02)

An Act Concerning the Department of Health and Human Services

Fiscal Note for Bill as Amended by Committee Amendment 'A' (H-138)

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	\$3,949,213	\$2,889,105	\$2,889,105	\$2,889,105
Appropriations/Allocations				
General Fund	\$3,949,213	\$2,889,105	\$2,889,105	\$2,889,105
Federal Expenditures Fund	\$9,517,922	\$6,509,885	\$6,509,885	\$6,509,885
Other Special Revenue Funds	\$1,882,036	\$5,018,761	\$5,018,761	\$5,018,761
Revenue				
Federal Expenditures Fund	\$9,517,922	\$6,509,885	\$6,509,885	\$6,509,885
Other Special Revenue Funds	\$1,882,036	\$5,018,761	\$5,018,761	\$5,018,761

Fiscal Detail and Notes

The bill includes General Fund appropriations to the Department of Health and Human Services of \$3,949,213 in fiscal year 2019-20 and \$2,889,105 in fiscal year 2020-21 to provide reimbursement under the MaineCare program for reimbursement for obesity treatment medication. Federal Expenditures Fund allocations are also included for the FMAP match and Other Special Revenue Funds allocations for drug rebates.