

MAINE STATE LEGISLATURE

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Date: 6/7/19

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. 1191, L.D. 1655, Bill, "An Act To Improve and Modernize Home-based Care"

Amend the bill by striking out all of section 1.

Amend the bill in section 3 in paragraph E by striking out all of subparagraph (2) (page 1, lines 28 and 29 in L.D.) and inserting the following:

'(2) Services of a pharmacist licensed under Title 32, chapter 117 to provide medication evaluation or consultation to a member, including using telehealth services or by a home visit when technology is not the most effective mode of consultation.'

Amend the bill in section 4 in paragraph C in the first line (page 2, line 1 in L.D.) by inserting after the following: "department on" the following: "best practices and"

Amend the bill by striking out all of sections 5 to 9 and inserting the following:

'Sec. 5. Department of Health and Human Services to amend rules. The Department of Health and Human Services shall amend its rules for services provided under rule Chapter 101: MaineCare Benefits Manual, Chapters II and III, Sections 19 and 96 and rule Chapter 5, Office of Elder Services Policy Manual, Section 63 so that:

1. A certified nurse practitioner licensed under the Maine Revised Statutes, Title 32, chapter 31 and a physician assistant licensed under Title 32, chapter 36 or 48 may authorize or amend a plan of care;

2. Reimbursement is provided for activities performed outside of the home by a registered nurse licensed under Title 32, chapter 31 that are directly related to a member's care and are part of the member's plan of care; and

3. Reimbursement is provided for a pharmacist licensed under Title 32, chapter 117 to provide medication evaluation or consultation to a member in a home visit when technology is not the most effective mode of consultation.

COMMITTEE AMENDMENT

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1 **Sec. 6. Department of Health and Human Services to amend rules.** The
2 Department of Health and Human Services shall amend its rules for services provided
3 under rule Chapter 101: MaineCare Benefits Manual, Chapters II and III, Section 40 so
4 that:

5 1. Reimbursement is provided for activities performed outside of the home by a
6 registered nurse licensed under the Maine Revised Statutes, Title 32, chapter 31 that are
7 directly related to a member's care and are part of the member's plan of care; and

8 2. Reimbursement is provided for a pharmacist licensed under Title 32, chapter 117
9 to provide medication evaluation or consultation to a member in a home visit when
10 technology is not the most effective mode of consultation.

11 **Sec. 7. Federal regulations; rules.** The Department of Health and Human
12 Services shall amend its rules for services provided under rule Chapter 101: MaineCare
13 Benefits Manual, Chapter II, Section 40 to allow a certified nurse practitioner licensed
14 under the Maine Revised Statutes, Title 32, chapter 31 and a physician assistant licensed
15 under Title 32, chapter 36 or 48 to authorize or amend a plan of care as soon as federal
16 regulations allowing it are promulgated.'

17 Amend the bill by adding after section 10 the following:

18 '**Sec. 11. Appropriations and allocations.** The following appropriations and
19 allocations are made.

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

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

22 Initiative: Provides appropriations and allocations for the Department of Health and
23 Human Services to amend the rules for services under rule Chapter 101: MaineCare
24 Benefits Manual, Chapters II and III, Sections 19 and 96 and rule Chapter 5, Office of
25 Elder Services Policy Manual, Section 63 so that reimbursement is provided for activities
26 performed outside of the home by a registered nurse that are directly related to a
27 member's care and are part of the member's plan of care.

28	GENERAL FUND	2019-20	2020-21
29	All Other	\$425,289	\$428,211
30			
31	GENERAL FUND TOTAL	<u>\$425,289</u>	<u>\$428,211</u>

32	FEDERAL EXPENDITURES FUND	2019-20	2020-21
33	All Other	\$755,414	\$752,491
34			
35	FEDERAL EXPENDITURES FUND TOTAL	<u>\$755,414</u>	<u>\$752,491</u>

36 **Office of MaineCare Services 0129**

37 Initiative: Provides one-time appropriations and allocations for required technology
38 changes.

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1	GENERAL FUND	2019-20	2020-21
2	All Other	\$74,603	\$0
3			
4	GENERAL FUND TOTAL	<u>\$74,603</u>	<u>\$0</u>
5	FEDERAL EXPENDITURES FUND	2019-20	2020-21
6	All Other	\$223,809	\$0
7			
8	FEDERAL EXPENDITURES FUND TOTAL	<u>\$223,809</u>	<u>\$0</u>
9	HEALTH AND HUMAN SERVICES,		
10	DEPARTMENT OF		
11	DEPARTMENT TOTALS	2019-20	2020-21
12			
13	GENERAL FUND	\$499,892	\$428,211
14	FEDERAL EXPENDITURES FUND	\$979,223	\$752,491
15			
16	DEPARTMENT TOTAL - ALL FUNDS	<u>\$1,479,115</u>	<u>\$1,180,702</u>
17			

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

20 **SUMMARY**

21 This amendment removes the sections of the bill that establish the Social
22 Determinants of Health Stakeholder Advisory Group within the Department of Health
23 and Human Services, requires review of certain home-based and community-based
24 MaineCare reimbursement rates every 2 years and convenes a work group to review
25 options for adjusting reimbursement rates for home-based and community-based services.
26 It requires the department to amend its rules for reimbursement for pharmacists
27 conducting a medication evaluation or consultation in the home. It clarifies that certified
28 nurse practitioners and physician assistants may only authorize or amend a plan of care
29 under rule Chapter 101: MaineCare Benefits Manual, Chapter II, Section 40 after the
30 Federal Government allows for it. It adds making recommendations to the department on
31 best practices to the additional duties of the Maine Telehealth and Telemonitoring
32 Advisory Group included in the bill. It also adds an appropriations and allocations
33 section.

34 **FISCAL NOTE REQUIRED**
35 (See attached)

COMMITTEE AMENDMENT



129th MAINE LEGISLATURE

LD 1655

LR 1678(02)

An Act To Improve and Modernize Home-based Care

Fiscal Note for Bill as Amended by Committee Amendment *A(H-524)*
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	\$499,892	\$428,211	\$428,477	\$428,477
Appropriations/Allocations				
General Fund	\$499,892	\$428,211	\$428,477	\$428,477
Federal Expenditures Fund	\$979,223	\$752,491	\$752,226	\$752,226
Revenue				
Federal Expenditures Fund	\$979,223	\$752,491	\$752,226	\$752,226

Fiscal Detail and Notes

The bill includes General Fund appropriations to the Department of Health and Human Services of \$499,892 in fiscal year 2019-20 and \$428,211 in fiscal year 2020-21 to allow that reimbursement is provided for activities performed outside of the home by a registered nurse that are directly related to a member's care and are part of the member's plan of care and for required technology changes. Federal Expenditures Fund allocations are also included for the FMAP match.