

# MAINE STATE LEGISLATURE

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2A  
H.O.F.S

L.D. 590

Date: 4-28-21

(Filing No. H-110)

**HEALTH AND HUMAN SERVICES**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
130TH LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to H.P. 433, L.D. 590, "An Act To Require  
MaineCare Coverage for Ostomy Equipment"

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

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

**§3174-FFF. Ostomy equipment reimbursement**

Beginning January 1, 2022, the department shall reimburse under the MaineCare  
program for ostomy equipment and supplies when that equipment or those supplies have  
been prescribed or recommended by a health care practitioner authorized to prescribe or  
recommend such equipment or supplies. The department shall adopt rules to implement  
this section. Rules adopted pursuant to this section are routine technical rules as defined  
by Title 5, chapter 375, subchapter 2-A. For purposes of this section, "health care  
practitioner" has the same meaning as in Title 24, section 2502, subsection 1-A.

**Sec. 2. Ostomy equipment reimbursement rules.** By January 1, 2022, the  
Department of Health and Human Services shall amend its rules in Chapter 101: MaineCare  
Benefits Manual, Chapter II, Section 60 to implement the Maine Revised Statutes, Title 22,  
section 3174-FFF and this section. The department shall reimburse for ostomy equipment  
and supplies at no less than 85% of the 2021 federal Medicare reimbursement rate for the  
equipment and supplies as long as the rate is no lower than the rate reimbursed by the  
department as of January 1, 2021.

**Sec. 3. Appropriations and allocations.** The following appropriations and  
allocations are made.

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

Initiative: Provides funding to increase the MaineCare reimbursement rates for ostomy  
equipment to 85% of the 2021 federal Medicare reimbursement rate.

2 OF 5

COMMITTEE AMENDMENT "A" to H.P. 433, L.D. 590

1	<b>GENERAL FUND</b>	<b>2021-22</b>	<b>2022-23</b>
2	All Other	\$9,313	\$18,625
3			
4	<b>GENERAL FUND TOTAL</b>	<b>\$9,313</b>	<b>\$18,625</b>
5			
6	<b>FEDERAL EXPENDITURES FUND</b>	<b>2021-22</b>	<b>2022-23</b>
7	All Other	\$19,495	\$38,990
8			
9	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$19,495</b>	<b>\$38,990</b>

10 ' Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
11 number to read consecutively.  
12

13 **SUMMARY**

14 This amendment, which is the unanimous report of the committee, requires the  
15 Department of Health and Human Services to amend its rules in Chapter 101: MaineCare  
16 Benefits Manual, Chapter II, Section 60 to reimburse ostomy equipment and supplies at no  
17 less than 85% of the federal Medicare reimbursement rate as long as the rate is no lower  
18 than the rate reimbursed by the department as of January 1, 2021. The amendment removes  
19 the prohibition on requiring a prior authorization. It also provides reimbursement for  
20 ostomy equipment and supplies when prescribed or recommended by an authorized health  
21 care practitioner, not just a physician.

22 **FISCAL NOTE REQUIRED**  
23 (See attached)



Approved: 04/05/21 *MAC*

# 130th MAINE LEGISLATURE

LD 590

LR 1760(02)

## An Act To Require MaineCare Coverage for Ostomy Equipment

Fiscal Note for Bill as Amended by Committee Amendment *ACH-110)*

Committee: Health and Human Services

Fiscal Note Required: Yes

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### Fiscal Note

	FY 2021-22	FY 2022-23	Projections FY 2023-24	Projections FY 2024-25
<b>Net Cost (Savings)</b>				
General Fund	\$9,313	\$18,625	\$18,625	\$18,625
<b>Appropriations/Allocations</b>				
General Fund	\$9,313	\$18,625	\$18,625	\$18,625
Federal Expenditures Fund	\$19,495	\$38,990	\$38,990	\$38,990
<b>Revenue</b>				
Federal Expenditures Fund	\$19,495	\$38,990	\$38,990	\$38,990

### Fiscal Detail and Notes

The bill includes General Fund appropriations to the Department of Health and Human Services of \$9,313 in fiscal year 2021-22 and \$18,625 in fiscal year 2022-23 to increase the rates for ostomy equipment to 85% of the Medicare rate. Federal Expenditures Fund allocations will also be required for the FMAP match.