

# MAINE STATE LEGISLATURE

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# 130th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2021

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Legislative Document

No. 1135

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H.P. 813

House of Representatives, March 22, 2021

### **An Act Regarding Substance Use Disorder Treatment Services and Increasing Reimbursement Rates for Those Services**

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Received by the Clerk of the House on March 18, 2021. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative STOVER of Boothbay.

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

2 **Sec. 1. 5 MRSA §20005, sub-§21**, as amended by PL 2019, c. 524, §11, is further  
3 amended to read:

4 **21. List of banned performance-enhancing substances.** Develop and maintain a list  
5 of banned performance-enhancing substances in accordance with Title 20-A, section 6621;  
6 ~~and~~

7 **Sec. 2. 5 MRSA §20005, sub-§22**, as enacted by PL 2019, c. 524, §12, is amended  
8 to read:

9 **22. Certification of recovery residences.** Establish by rule criteria for the  
10 certification of recovery residences. The criteria for the certification of recovery residences  
11 must be based on criteria for recovery residences developed by a nationally recognized  
12 organization that supports persons recovering from substance use disorder. Certification  
13 of a recovery residence pursuant to this subsection is voluntary. Rules adopted pursuant to  
14 this subsection are routine technical rules as defined in chapter 375, subchapter 2-A-; and

15 **Sec. 3. 5 MRSA §20005, sub-§23** is enacted to read:

16 **23. Trauma-informed principles of care.** Ensure that all substance use disorder  
17 services funded by the department conform to trauma-informed principles of care as  
18 developed by the United States Department of Health and Human Services, Substance  
19 Abuse and Mental Health Services Administration.

20 **Sec. 4. Department of Health and Human Services to increase substance**  
21 **use disorder treatment reimbursement rates.** No later than January 1, 2022, the  
22 Department of Health and Human Services shall amend its rule Chapter 101: MaineCare  
23 Benefits Manual, Chapter III, Section 65, Behavioral Health Services, to increase all rates  
24 of reimbursement for outpatient services for substance use disorder by 25%.

25 **Sec. 5. Department of Health and Human Services to amend substance**  
26 **abuse treatment facility rules.** No later than January 1, 2022, the Department of Health  
27 and Human Services shall amend its rule Chapter 101: MaineCare Benefits Manual,  
28 Chapter III, Section 97, Private Non-Medical Institution Services, Appendix B, Principles  
29 of Reimbursement for Substance Abuse Treatment Facilities, to make the following  
30 changes:

31 1. Increase the rates of reimbursement for all services, except for detoxification  
32 services, by 25%; and

33 2. Reimburse detoxification services according to a cost-based rate methodology.

34 **Sec. 6. Department of Health and Human Services to amend private non-**  
35 **medical institution services rules.** No later than January 1, 2022, the Department of  
36 Health and Human Services shall amend its rule Chapter 101: MaineCare Benefits Manual,  
37 Chapter II, Section 97, Private Non-Medical Institution Services, to make the following  
38 changes to services provided in a private non-medical institution Appendix B facility:

39 1. Increase the limit on the number of consecutive days allowed for a residential  
40 rehabilitation type I service to 45 days as long as the need is documented in the MaineCare  
41 member's treatment plan;

