

# MAINE STATE LEGISLATURE

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Date 5/30/23

L D 223  
(Filing No H-253)

**HEALTH AND HUMAN SERVICES**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
131ST LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to H P 144, L D 223, "Resolve, Directing the Department of Health and Human Services to Amend Its Rules Regarding Pharmacy Services"

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

**'Resolve, Directing the Department of Health and Human Services to Amend MaineCare Rules Regarding Pharmacy Services'**

Amend the resolve by striking out everything after the title and inserting the following:

**'Sec. 1. Department of Health and Human Services to amend rules; report. Resolved:** That the Department of Health and Human Services shall amend its rules in Chapter 101, MaineCare Benefits Manual, Chapters II and III, Sections 40 and 96 as needed to allow reimbursement of providers of Section 40 and Section 96 services to contract with pharmacists to provide pharmacy consultation and medication evaluation to MaineCare members via telehealth or in a home visit when technology is not the most effective mode of communication. This reimbursement must continue until the department is able to provide direct reimbursement through the MaineCare program for pharmacist consultation and medication evaluation or until October 1, 2027, whichever is sooner. No later than December 15, 2026, the department shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters on the status of the department's ability to provide direct reimbursement through the MaineCare program for pharmacist consultation and medication evaluation. The committee may report out legislation related to the report to the 133rd Legislature in 2027.

**Sec. 2. Report. Resolved:** That the Department of Health and Human Services shall report regarding progress made in rulemaking and the implementation of the reimbursement of providers of Section 40 and Section 96 services under section 1, as well as progress made toward direct reimbursement for pharmacist consultation and medication evaluation, to the joint standing committee of the Legislature having jurisdiction over health and human services matters by November 6, 2024. The committee may report out legislation related to the report to the 132nd Legislature in 2025.

**COMMITTEE AMENDMENT**

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1           **Sec. 3. Appropriations and allocations. Resolved:** That the following  
2 appropriations and allocations are made

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

5 Initiative Provides funding for the Department of Health and Human Services to contract  
6 with a pharmacist licensed under the Maine Revised Statutes, Title 32, chapter 117 to  
7 provide consultation or medication evaluation to a MaineCare member via telehealth or in  
8 a home visit when technology is not the most effective mode of communication for  
9 services

10	<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
11	All Other	\$74,485	\$148,971
12			
13	<b>GENERAL FUND TOTAL</b>	<u>\$74,485</u>	<u>\$148,971</u>

15	<b>FEDERAL EXPENDITURES FUND</b>	<b>2023-24</b>	<b>2024-25</b>
16	All Other	\$137,253	\$271,476
17			
18	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$137,253</u>	<u>\$271,476</u>

20	<b>FEDERAL BLOCK GRANT FUND</b>	<b>2023-24</b>	<b>2024-25</b>
21	All Other	\$5,321	\$13,672
22			
23	<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<u>\$5,321</u>	<u>\$13,672</u>

24           **Office of MaineCare Services 0129**

25 Initiative Provides one-time funding for technology changes required to allow for the  
26 Department of Health and Human Services to contract with a pharmacist licensed under  
27 the Maine Revised Statutes, Title 32, chapter 117 to be reimbursed for providing  
28 consultation or medication evaluation

29	<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
30	All Other	\$41,153	\$0
31			
32	<b>GENERAL FUND TOTAL</b>	<u>\$41,153</u>	<u>\$0</u>

34	<b>FEDERAL EXPENDITURES FUND</b>	<b>2023-24</b>	<b>2024-25</b>
35	All Other	\$123,458	\$0
36			
37	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$123,458</u>	<u>\$0</u>

38           **PNMI Room and Board Z009**

39 Initiative Provides funding for the Department of Health and Human Services to contract  
40 with a pharmacist licensed under the Maine Revised Statutes, Title 32, chapter 117 to  
41 provide consultation or medication evaluation to a MaineCare member via telehealth or in

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COMMITTEE AMENDMENT "A" to HP 144, L D 223

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a home visit when technology is not the most effective mode of communication for services

<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
All Other	\$218	\$434
<b>GENERAL FUND TOTAL</b>	<u>\$218</u>	<u>\$434</u>

<b>HEALTH AND HUMAN SERVICES, DEPARTMENT OF DEPARTMENT TOTALS</b>	<b>2023-24</b>	<b>2024-25</b>
<b>GENERAL FUND</b>	\$115,856	\$149,405
<b>FEDERAL EXPENDITURES FUND</b>	\$260,711	\$271,476
<b>FEDERAL BLOCK GRANT FUND</b>	\$5,321	\$13,672
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u>\$381,888</u>	<u>\$434,553</u>

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

**SUMMARY**

This amendment replaces the resolve It requires the Department of Health and Human Services to amend its rules in Chapter 101 MaineCare Benefits Manual, Chapters II and III, Sections 40 and 96 as needed to allow reimbursement of providers of Section 40 and Section 96 services to contract with pharmacists to provide pharmacy consultation and medication evaluation to MaineCare members via telehealth or in a home visit when technology is not the most effective mode of communication This reimbursement must continue until the department is able to provide direct reimbursement through the MaineCare program for pharmacist consultation and medication evaluation or until October 1, 2027, whichever is sooner It requires the department to report regarding progress made in rulemaking and the implementation of the reimbursement of providers of Section 40 and Section 96 services, as well as progress made toward direct reimbursement for pharmacist consultation and medication evaluation, to the joint standing committee of the Legislature having jurisdiction over health and human services matters by November 6, 2024

**FISCAL NOTE REQUIRED**  
(See attached)

**COMMITTEE AMENDMENT**



# 131st MAINE LEGISLATURE

LD 223

LR 603(02)

Resolve, Directing the Department of Health and Human Services to Amend Its Rules Regarding Pharmacy Services

Fiscal Note for Bill as Amended by Committee Amendment *A (H-253)*

Committee: Health and Human Services

Fiscal Note Required: Yes

## Fiscal Note

	FY 2023-24	FY 2024-25	Projections FY 2025-26	Projections FY 2026-27
<b>Net Cost (Savings)</b>				
General Fund	\$115,856	\$149,405	\$149,405	\$149,405
<b>Appropriations/Allocations</b>				
General Fund	\$115,856	\$149,405	\$149,405	\$149,405
Federal Expenditures Fund	\$260,711	\$271,476	\$271,476	\$271,476
Federal Block Grant Fund	\$5,321	\$13,672	\$13,672	\$13,672
<b>Revenue</b>				
Federal Expenditures Fund	\$260,711	\$271,476	\$271,476	\$271,476
Federal Block Grant Fund	\$5,321	\$13,672	\$13,672	\$13,672

### Fiscal Detail and Notes

The bill includes General Fund appropriations to the Department of Health and Human Services of \$115,856 in fiscal year 2023-24 and \$149,405 in fiscal year 2024-25 for the department to contract with a pharmacist licensed under the Maine Revised Statutes, Title 32, chapter 117 to provide medication evaluation or consultation to a MaineCare member via telehealth or in a home visit when technology is not the most effective mode of consultation for services. Federal Expenditures Fund and Federal Block Grant Fund allocations are also included for the FMAP match.