

# MAINE STATE LEGISLATURE

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Date 6/14/23

(Filing No S-320)

HEALTH AND HUMAN SERVICES

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STATE OF MAINE
SENATE
131ST LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S P 260, L D 592, "An Act to Amend the Law Governing MaineCare Coverage of Chiropractic Treatment"

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

Sec. 1. 22 MRSA §3174-CCC, sub-§1, as enacted by PL 2019, c 421, §1 and reallocated by RR 2019, c 1, Pt A, §24, is repealed and the following enacted in its place

1. Reimbursement. The department shall reimburse under the MaineCare program for certain chiropractic services, as described in this section and defined in department rules, performed by a chiropractic doctor licensed under Title 32, chapter 9 that are within the scope of practice of chiropractic doctors Services that are reimbursed are the following

- A Treatment by means of manual manipulation of the spine,
B Evaluation and management examinations, and
C Physical therapy when the service is otherwise covered by MaineCare when performed by a physical therapist licensed under Title 32, chapter 45-A

This subsection does not affect any limits that may apply to reimbursements such as limits on the number of visits

Sec. 2. State plan amendment. No later than July 1, 2024, the Department of Health and Human Services shall apply to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services for a state plan amendment to allow for Medicaid reimbursement for physical therapy services performed by chiropractic doctors licensed under the Maine Revised Statutes, Title 32, chapter 9 within their scope of practice as long as those services are covered when performed by licensed physical therapists

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

COMMITTEE AMENDMENT

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**HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

**Medical Care - Payments to Providers 0147**

Initiative Provides funding for physical therapy services that are within a chiropractic doctor's scope of practice and are otherwise covered if provided by a licensed physical therapist

<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
All Other	\$0	\$33,716
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<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$33,716</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>2023-24</b>	<b>2024-25</b>
All Other	\$0	\$77,722
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<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$77,722</b>
<b>FEDERAL BLOCK GRANT FUND</b>	<b>2023-24</b>	<b>2024-25</b>
All Other	\$0	\$1,755
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<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$0</b>	<b>\$1,755</b>

**Sec. 4. Contingent effective date.** That section of this Act that repeals and replaces the Maine Revised Statutes, Title 22, section 3174-CCC, subsection 1 does not take effect unless

1 The United States Department of Health and Human Services, Centers for Medicare and Medicaid Services approves a state plan amendment to allow for Medicaid reimbursement for physical therapy services performed by chiropractic doctors licensed under Title 32, chapter 9 within their scope of practice as long as those services are covered when performed by licensed physical therapists, and

2 The Commissioner of Health and Human Services notifies the Secretary of State, the Secretary of the Senate, the Clerk of the House of Representatives and the Revisor of Statutes that written approval for the state plan amendment has been received '

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

**SUMMARY**

This amendment removes the requirement in the bill to provide MaineCare reimbursement for all services within a chiropractic doctor's scope of practice and replaces it with reimbursement for physical therapy services within a chiropractic doctor's scope of practice that are otherwise covered if provided by a licensed physical therapist It includes in chiropractic services that are reimbursable under MaineCare the manual manipulation of the spine, which is already covered under Department of Health and Human Services

COMMITTEE AMENDMENT "A" to S P 260, L D 592 (S 320)

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rules It changes the date for the state plan amendment to be submitted from January 2024 to July 2024

**FISCAL NOTE REQUIRED**

**(See attached)**

**COMMITTEE AMENDMENT**



# 131st MAINE LEGISLATURE

LD 592

LR 2006(02)

## An Act to Amend the Law Governing MaineCare Coverage of Chiropractic Treatment

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-320)  
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	\$0	\$33,716	\$33,733	\$33,733
<b>Appropriations/Allocations</b>				
General Fund	\$0	\$33,716	\$33,733	\$33,733
Federal Expenditures Fund	\$0	\$77,722	\$77,706	\$77,706
Federal Block Grant Fund	\$0	\$1,755	\$1,754	\$1,754
<b>Revenue</b>				
Federal Expenditures Fund	\$0	\$77,722	\$77,706	\$77,706
Federal Block Grant Fund	\$0	\$1,755	\$1,754	\$1,754

### Fiscal Detail and Notes

The bill includes General Fund appropriations to the Department of Health and Human Services of \$33,716 in fiscal year 2024-25 for physical therapy services that are within a chiropractic doctor's scope of practice and are otherwise covered if provided by a licensed physical therapist. Federal Expenditures Fund and Federal Block Grant Fund allocations are also included in this bill for the FMAP match.