

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 757

S.P. 315

In Senate, February 16, 2023

An Act to Expand Telemonitoring for MaineCare Patients

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator GUERIN of Penobscot.
Cosponsored by Representative JAVNER of Chester and
Senators: BALDACCI of Penobscot, MOORE of Washington, Representatives: GRIFFIN of
Levant, MADIGAN of Waterville.

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

2 **Sec. 1. 22 MRSA §3173-H, sub-§5, ¶B,** as amended by PL 2019, c. 649, §1, is
3 further amended to read:

4 B. Except as provided in paragraph E, must include qualifying criteria for a patient's
5 eligibility for telemonitoring services that include documentation in a patient's medical
6 record that the patient is at risk of hospitalization or admission to an emergency room
7 or that the patient may be hospitalized or admitted or readmitted to an emergency room
8 at the discretion of a provider. These rules must allow a provider to offer telemonitoring
9 services if medically necessary given the patient's health status. These rules must allow
10 any provider to determine the frequency of telemonitoring services to achieve care plan
11 goals for the patient;

12 **Sec. 2. 22 MRSA §3173-H, sub-§7** is enacted to read:

13 **7. Telemonitoring requirements.** A patient must receive MaineCare coverage for
14 telemonitoring services if:

15 A. The telemonitoring services are intended to collect the patient's health-related data,
16 including, but not limited to, pulse and blood pressure readings, that assist a provider
17 in monitoring and assessing the patient's health status;

18 B. The telemonitoring is medically necessary for the patient;

19 C. The patient is cognitively and physically capable of operating the telemonitoring
20 device or the patient has a caregiver willing and able to assist with the telemonitoring
21 device; and

22 D. The patient's residence is suitable for telemonitoring. If the residence appears
23 unable to support telemonitoring, telemonitoring may not be provided unless necessary
24 adaptations are made.

25 **SUMMARY**

26 This bill amends the law governing MaineCare services delivered through telehealth to
27 change the rule-making authority of the Department of Health and Human Services,
28 providing that qualifying criteria for telemonitoring services include documentation in a
29 patient's medical record that the patient may be hospitalized or admitted or readmitted to
30 an emergency room at the discretion of the patient's health care provider. It also conditions
31 MaineCare coverage for telemonitoring services on the intention to collect a patient's
32 health-related data to assist in monitoring and assessing the patient's health status,
33 telemonitoring's being medically necessary, the patient's capacity to participate in
34 telemonitoring and the patient's having a suitable residence for telemonitoring.