

MAINE STATE LEGISLATURE

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Date: 5/9/24

(Filing No. S-744)

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STATE OF MAINE
SENATE
131ST LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 529, L.D. 840, "An Act to Support Individuals with Personality Disorder or Emotional Dysregulation by Requiring Reimbursement Under the MaineCare Program"

Amend the amendment by striking out the substitute title and inserting the following:

'An Act to Support Individuals with Personality Disorder or Disorders Associated with Primary Emotional Dysregulation by Requiring Reimbursement Under the MaineCare Program Through a Pilot Program'

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

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

'Sec. 1. Pilot program; reimbursement for treatment of personality disorder and emotional dysregulation. No later than 90 days after adjournment of the Second Regular Session of the 131st Legislature, the Department of Health and Human Services shall reimburse under the MaineCare program for the treatment of personality disorder and other disorders associated with primary emotional dysregulation through a pilot program to be developed by the department. In developing the pilot program, the department shall establish a bundled reimbursement rate for the evidence-based treatment of up to 25 MaineCare members diagnosed with personality disorder or other disorders associated with primary emotional dysregulation. In establishing the bundled reimbursement rate, the department shall consider various bundled reimbursement rate structures, including a daily rate and a monthly rate. The bundled reimbursement rate must include participation in a dialectical behavior therapy intensive outpatient program, psychiatry services, nursing services, case management, after-hours skills coaching, supported employment services and initial pilot program development costs.

Sec. 2. Report. By November 7, 2025, the Department of Health and Human Services shall submit a report to the joint standing committee of the Legislature having jurisdiction over health and human services matters addressing the implementation and effectiveness of the pilot program under section 1 and making recommendations regarding further expansion efforts. The report must also include the projected cost of providing treatment to 25 MaineCare members diagnosed with personality disorder or other disorders

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 529, L.D. 840 (S-744)

1 associated with primary emotional dysregulation not served by the pilot program. The joint
2 standing committee may submit legislation to the Second Regular Session of the 132nd
3 Legislature to continue or expand the pilot program.

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

6 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**
7 **Mental Health Services - Community Medicaid Z201**

8 Initiative: Provides one-time funding for a pilot program to reimburse for treatment of up
9 to 25 MaineCare members diagnosed with personality disorder or other disorders
10 associated with primary emotional dysregulation using a bundled rate.

11	GENERAL FUND	2023-24	2024-25
12	All Other	\$0	\$650,000
13			
14	GENERAL FUND TOTAL	\$0	\$650,000

15 "

16 Amend the amendment by relettering or renumbering any nonconsecutive Part letter or
17 section number to read consecutively.

18

SUMMARY

19 This amendment amends Committee Amendment "A" and replaces the bill. The
20 amendment directs the Department of Health and Human Services to develop a pilot
21 program to reimburse under the MaineCare program for treatment of up to 25 MaineCare
22 members diagnosed with personality disorder or other disorders associated with primary
23 emotional dysregulation using a bundled rate. It also requires the department to submit a
24 report to the joint standing committee of the Legislature having jurisdiction over health and
25 human services matters addressing the implementation and effectiveness of the pilot
26 program by November 7, 2025. The amendment also allows the joint standing committee
27 to submit legislation to the Second Regular Session of the 132nd Legislature to continue or
28 expand the pilot program.

29 **SPONSORED BY:** M. Rotundo

30 (Senator ROTUNDO, M.)

31 **COUNTY:** Androscoggin

FISCAL NOTE REQUIRED
(See attached)



131st MAINE LEGISLATURE

LD 840

LR 1877(04)

An Act to Support Individuals with Personality Disorder or Disorders Associated with Primary Emotional Dysregulation by Requiring Reimbursement Under the MaineCare Program

Fiscal Note for Senate Amendment "A" to Committee Amendment "A" (S-744)

Sponsor: Sen. Rotundo of Androscoggin

Fiscal Note Required: Yes

Fiscal Note

	FY 2023-24	FY 2024-25	Projections FY 2025-26	Projections FY 2026-27
Net Cost (Savings)				
General Fund	\$0	(\$1,220,120)	(\$3,740,240)	(\$3,740,240)
Appropriations/Allocations				
General Fund	\$0	(\$1,220,120)	(\$3,740,240)	(\$3,740,240)
Federal Expenditures Fund	\$0	(\$4,030,689)	(\$8,061,377)	(\$8,061,377)
Other Special Revenue Funds	\$0	(\$376,647)	(\$753,295)	(\$753,295)
Revenue				
Federal Expenditures Fund	\$0	(\$4,030,689)	(\$8,061,377)	(\$8,061,377)
Other Special Revenue Funds	\$0	(\$376,647)	(\$753,295)	(\$753,295)

Fiscal Detail and Notes

The amendment removes the ongoing General Fund appropriations to the Department of Health and Human Services of \$1,870,120 in fiscal year 2024-25 for reimbursement for treatment of personality disorder and emotional dysregulation in MaineCare beginning on January 1, 2025 and also removes the corresponding Federal Expenditures Fund allocations for the FMAP match and the Other Special Revenue Funds allocations for the Service Provider Tax.

The amendment replaces the ongoing appropriations with a one-time General Fund appropriation to the Department of Health and Human Services of \$650,000 in fiscal year 2024-25 for a pilot program to reimburse for treatment of personality disorder and emotional dysregulation using a bundled rate to treat up to 25 MaineCare members.