MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 1104

H.P. 700

House of Representatives, March 9, 2023

Resolve, to Amend the MaineCare Hospital Readmission Protocol

(EMERGENCY)

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

ROBERT B. HUNT Clerk

R(+ B. Hunt

Presented by Representative PRINGLE of Windham.

Cosponsored by Representatives: PERRY of Calais, STOVER of Boothbay, ZAGER of Portland.

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the MaineCare program's hospital readmission protocol does not target the reduction of avoidable readmissions; and

Whereas, the protocol penalizes hospitals for readmissions outside of the control of the hospitals and the exceptions to the protocol should reflect clinically appropriate care; and

Whereas, it is essential that the issues with readmission be addressed as soon as possible due to the financial burden on the hospitals and for the proper care of the patients; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

- Sec. 1. Department of Health and Human Services to amend MaineCare rules regarding hospital readmission. Resolved: That, no later than 30 days after the effective date of this resolve, the Department of Health and Human Services shall amend the MaineCare benefits rules regarding exceptions to the 14-day hospital readmission protocol to:
- 1. Add to the exceptions readmission of an individual who previously left the hospital against medical advice;
- 2. Add to the exceptions readmission of an individual with substance use disorder whose primary or secondary diagnosis is a result of the individual's substance use disorder; and
- 3. Remove from the exceptions readmission of an individual whose symptoms met the American Society of Addiction Medicine Level 4 Criteria, as defined in the most recent edition of the society's treatment criteria for addictive, substance-related and co-occurring conditions.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

31 SUMMARY

This resolve requires the Department of Health and Human Services to amend its MaineCare benefits rules by excepting from its readmission protocol individuals who previously left the hospital against medical advice or were previously discharged with substance use disorder when the individual's primary or secondary diagnosis is a result of the individual's substance use disorder. It removes from the exceptions to the readmission protocol individuals who were previously discharged whose symptoms meet the American Society of Addiction Medicine Level 4 Criteria.