

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

FIRST REGULAR SESSION
December 7, 2016 to August 2, 2017

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IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2017

CHAPTER 184
H.P. 141 - L.D. 185

**An Act To Establish a Pilot
Project for Medicaid
Reimbursement for
Acupuncture Treatment of
Substance Abuse Disorders**

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

Sec. 1. 22-A MRSA §203, sub-§5 is enacted to read:

5. Pilot projects. The department shall develop pilot projects and demonstration projects required by law, and shall apply for any authorization necessary to undertake such projects.

Sec. 2. Acupuncture pilot project. By January 1, 2018, the Department of Health and Human Services and the department's office of substance abuse and mental health services shall apply for authorization from the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to develop a pilot project in accordance with this section to treat alcohol abuse disorders, substance abuse disorders and co-occurring disorders using the National Acupuncture Detoxification Association auricular acupuncture protocol.

1. Pilot project standards. The treatment under the pilot project must be performed by project staff who have been trained to perform the National Acupuncture Detoxification Association auricular acupuncture protocol, who practice acupuncture within the scope of their license in this State and whose licenses to practice are in good standing. The Department of Health and Human Services and the department's office of substance abuse and mental health services shall consult with a statewide association of licensed acupuncturists to establish treatment standards that are consistent with the National Acupuncture Detoxification Association auricular acupuncture protocol.

2. Patient limits and financing. The pilot project must be limited to a finite number of patients determined by the Department of Health and Human Services and the department's office of substance abuse and mental health services and may last no longer than 2 years. Acupuncture treatment under the project must be reimbursable as allowed under the United States Social Security Act, Title XIX and it must be developed and implemented in a manner that ensures that it will be cost-neutral or will result in savings to the MaineCare program.

3. Report. The Department of Health and Human Services and the department's office of substance abuse and mental health services shall submit a report

on the results of the pilot project, including recommendations for continuing the project, to the joint standing committee of the Legislature having jurisdiction over health and human services matters at the conclusion of the pilot project.

See title page for effective date.

CHAPTER 185
H.P. 322 - L.D. 455

**An Act Relating to the
Provision of Nicotine
Replacement Products by
Pharmacists**

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

Sec. 1. 32 MRSA §13702-A, sub-§28, as amended by PL 2013, c. 308, §2, is further amended to read:

28. Practice of pharmacy. "Practice of pharmacy" means the interpretation and evaluation of prescription drug orders; the compounding, dispensing and labeling of drugs and devices, except labeling by a manufacturer, packer or distributor of nonprescription drugs and commercially packaged legend drugs and devices; the participation in drug selection and drug utilization reviews; the proper and safe storage of drugs and devices and the maintenance of proper records for these drugs and devices; the administration of vaccines licensed by the United States Food and Drug Administration that are recommended by the United States Centers for Disease Control and Prevention Advisory Committee on Immunization Practices, or successor organization, for administration to adults; the performance of collaborative drug therapy management; the responsibility for advising, when necessary or regulated, of therapeutic values, content, hazards and use of drugs and devices; the ordering and dispensing of over-the-counter nicotine replacement products approved by the United States Food and Drug Administration; and the offering or performing of those acts, services, operations or transactions necessary in the conduct, operation, management and control of a pharmacy.

See title page for effective date.