



125th MAINE LEGISLATURE

SECOND REGULAR SESSION-2012

Legislative Document

No. 1694

H.P. 1246

House of Representatives, December 23, 2011

**Resolve, Directing the Department of Health and Human Services
To Review Rules Governing Reimbursement to MaineCare
Recipients for Transportation to Freestanding Methadone Clinics**

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on December 21, 2011. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative BURNS of Whiting.
Cosponsored by Senator THOMAS of Somerset and
Representatives: CRAY of Palmyra, DAVIS of Sangerville, HANLEY of Gardiner, VOLK of
Scarborough, WILLETTE of Mapleton, Senators: LANGLEY of Hancock, MASON of
Androscoggin, President RAYE of Washington.

1 **Sec. 1. Definitions. Resolved:** That, as used in this resolve, unless the context
2 otherwise indicates, the following terms have the following meanings:

- 3 1. "Client" means a MaineCare recipient who receives treatment at a clinic;
- 4 2. "Clinic" means a freestanding methadone clinic within the State; and
- 5 3. "Community agency" means a community agency that provides transportation
6 services for clients to clinics; and be it further

7 **Sec. 2. Review; rules. Resolved:** That the Department of Health and Human
8 Services shall review reimbursement to clients for transportation to clinics and shall adopt
9 rules to ensure uniformity in reimbursement throughout the State and to reduce the
10 incidence of fraud. The department shall solicit input from community agencies
11 throughout the State regarding the protocols used by the various agencies to schedule and
12 verify appointments to clinics. The department shall also solicit input from district
13 attorneys within the State regarding any instances of fraud in such reimbursement. Rules
14 adopted pursuant to this section must include the following requirements:

15 1. In order to receive reimbursement for transportation to a clinic, a client must
16 contact a community agency prior to the date of the scheduled appointment at the clinic
17 and state that the client cannot afford to keep the appointment unless the client receives
18 reimbursement;

19 2. Prior to providing transportation services, a community agency shall confirm the
20 client's eligibility for MaineCare benefits. The department shall facilitate such
21 confirmation by authorizing access by community agencies to MaineCare eligibility
22 databases;

23 3. The client shall provide written confirmation of the client's current address at the
24 time of the scheduled appointment;

25 4. The client shall file a form after each trip documenting mileage and tolls and the
26 community agency shall confirm that mileage and tolls are reasonable;

27 5. A clinic shall require that a client seeking travel reimbursement sign in at the time
28 of the provision of clinic services. The clinic shall share its appointment schedule for that
29 client with the community agency;

30 6. A clinic shall deploy a video surveillance system sufficient to identify the drivers
31 and occupants of all vehicles arriving at the clinic. Clinic staff shall confirm that a client
32 requesting transportation reimbursement arrived in a vehicle at the appropriate time; and

33 7. If a client is found to have filed a false claim for reimbursement for transportation
34 to a clinic, the clinic shall suspend approving transportation reimbursement for that client.
35 The clinic shall report the fraud to the community agency and the community agency
36 shall report the fraud to the department.

1 Rules adopted pursuant to this section are routine technical rules as defined in the
2 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A; and be it further

3
4 **Sec. 3. Report. Resolved:** That the Department of Health and Human Services
5 shall submit a report on its review and rules adopted pursuant to section 2 to the joint
6 standing committee of the Legislature having jurisdiction over health and human services
7 matters by December 15, 2012.

8 **SUMMARY**

9 This resolve directs the Department of Health and Human Services to review
10 reimbursement to MaineCare recipients for transportation to freestanding methadone
11 clinics and to adopt rules to ensure uniformity in reimbursement throughout the State and
12 reduce the incidence of fraud. The department is directed to submit a report to the joint
13 standing committee of the Legislature having jurisdiction over health and human services
14 matters by December 15, 2012.