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Date: (Filing No. H-)

HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1191, L.D. 1655, Bill, “An Act To Improve and Modernize Home-based Care”

Amend the bill by striking out all of section 1.

Amend the bill in section 3 in paragraph E by striking out all of subparagraph (2) (page 1, lines 28 and 29 in L.D.) and inserting the following:

'(2) Services of a pharmacist licensed under Title 32, chapter 117 to provide medication evaluation or consultation to a member, including using telehealth services or by a home visit when technology is not the most effective mode of consultation.'

Amend the bill in section 4 in paragraph C in the first line (page 2, line 1 in L.D.) by inserting after the following: "department on" the following: 'best practices and'

Amend the bill by striking out all of sections 5 to 9 and inserting the following:

'Sec. 5. Department of Health and Human Services to amend rules. The Department of Health and Human Services shall amend its rules for services provided under rule Chapter 101: MaineCare Benefits Manual, Chapters II and III, Sections 19 and 96 and rule Chapter 5, Office of Elder Services Policy Manual, Section 63 so that:

1. A certified nurse practitioner licensed under the Maine Revised Statutes, Title 32, chapter 31 and a physician assistant licensed under Title 32, chapter 36 or 48 may authorize or amend a plan of care;
2. Reimbursement is provided for activities performed outside of the home by a registered nurse licensed under Title 32, chapter 31 that are directly related to a member's care and are part of the member's plan of care; and
3. Reimbursement is provided for a pharmacist licensed under Title 32, chapter 117 to provide medication evaluation or consultation to a member in a home visit when technology is not the most effective mode of consultation.

COMMITTEE AMENDMENT

1 **Sec. 6. Department of Health and Human Services to amend rules.** The
 2 Department of Health and Human Services shall amend its rules for services provided
 3 under rule Chapter 101: MaineCare Benefits Manual, Chapters II and III, Section 40 so
 4 that:

5 1. Reimbursement is provided for activities performed outside of the home by a
 6 registered nurse licensed under the Maine Revised Statutes, Title 32, chapter 31 that are
 7 directly related to a member's care and are part of the member's plan of care; and

8 2. Reimbursement is provided for a pharmacist licensed under Title 32, chapter 117
 9 to provide medication evaluation or consultation to a member in a home visit when
 10 technology is not the most effective mode of consultation.

11 **Sec. 7. Federal regulations; rules.** The Department of Health and Human
 12 Services shall amend its rules for services provided under rule Chapter 101: MaineCare
 13 Benefits Manual, Chapter II, Section 40 to allow a certified nurse practitioner licensed
 14 under the Maine Revised Statutes, Title 32, chapter 31 and a physician assistant licensed
 15 under Title 32, chapter 36 or 48 to authorize or amend a plan of care as soon as federal
 16 regulations allowing it are promulgated.'

17 Amend the bill by adding after section 10 the following:

18 '**Sec. 11. Appropriations and allocations.** The following appropriations and
 19 allocations are made.

20 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**
 21 **Medical Care - Payments to Providers 0147**

22 Initiative: Provides appropriations and allocations for the Department of Health and
 23 Human Services to amend the rules for services under rule Chapter 101: MaineCare
 24 Benefits Manual, Chapters II and III, Sections 19 and 96 and rule Chapter 5, Office of
 25 Elder Services Policy Manual, Section 63 so that reimbursement is provided for activities
 26 performed outside of the home by a registered nurse that are directly related to a
 27 member's care and are part of the member's plan of care.

28	GENERAL FUND	2019-20	2020-21
29	All Other	\$425,289	\$428,211
30			
31	GENERAL FUND TOTAL	\$425,289	\$428,211

32	FEDERAL EXPENDITURES FUND	2019-20	2020-21
33	All Other	\$755,414	\$752,491
34			
35	FEDERAL EXPENDITURES FUND TOTAL	\$755,414	\$752,491

36 **Office of MaineCare Services 0129**

37 Initiative: Provides one-time appropriations and allocations for required technology
 38 changes.

1	GENERAL FUND	2019-20	2020-21
2	All Other	\$74,603	\$0
3			
4	GENERAL FUND TOTAL	<u>\$74,603</u>	<u>\$0</u>
5	FEDERAL EXPENDITURES FUND	2019-20	2020-21
6	All Other	\$223,809	\$0
7			
8	FEDERAL EXPENDITURES FUND TOTAL	<u>\$223,809</u>	<u>\$0</u>
9	HEALTH AND HUMAN SERVICES,		
10	DEPARTMENT OF		
11	DEPARTMENT TOTALS	2019-20	2020-21
12			
13	GENERAL FUND	\$499,892	\$428,211
14	FEDERAL EXPENDITURES FUND	\$979,223	\$752,491
15			
16	DEPARTMENT TOTAL - ALL FUNDS	<u>\$1,479,115</u>	<u>\$1,180,702</u>
17			

18 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
 19 section number to read consecutively.

20 **SUMMARY**

21 This amendment removes the sections of the bill that establish the Social
 22 Determinants of Health Stakeholder Advisory Group within the Department of Health
 23 and Human Services, requires review of certain home-based and community-based
 24 MaineCare reimbursement rates every 2 years and convenes a work group to review
 25 options for adjusting reimbursement rates for home-based and community-based services.
 26 It requires the department to amend its rules for reimbursement for pharmacists
 27 conducting a medication evaluation or consultation in the home. It clarifies that certified
 28 nurse practitioners and physician assistants may only authorize or amend a plan of care
 29 under rule Chapter 101: MaineCare Benefits Manual, Chapter II, Section 40 after the
 30 Federal Government allows for it. It adds making recommendations to the department on
 31 best practices to the additional duties of the Maine Telehealth and Telemonitoring
 32 Advisory Group included in the bill. It also adds an appropriations and allocations
 33 section.

34 **FISCAL NOTE REQUIRED**

35 (See attached)