

**§3174-III. Reimbursement for donor breast milk**

**1. Reimbursement.** The department shall provide reimbursement under the MaineCare program for pasteurized donor breast milk provided to an infant receiving benefits under this chapter if a physician or physician assistant licensed under Title 32, chapter 36 or 48 or an advanced practice registered nurse licensed under Title 32, chapter 31 signs an order stating that:

- A. The infant is medically or physically unable to receive maternal breast milk or participate in breastfeeding or the infant's mother is medically or physically unable to produce maternal breast milk in quantities sufficient for the infant; and [PL 2021, c. 708, §1 (NEW).]
- B. The infant:
- (1) Was born at a birth weight of less than 1,500 grams;
  - (2) Has a gastrointestinal anomaly or metabolic or digestive disorder or is recovering from intestinal surgery and the infant's digestive needs require additional support;
  - (3) Is not appropriately gaining weight or growing;
  - (4) Has formula intolerance and is experiencing weight loss or difficulty feeding;
  - (5) Has low blood sugar;
  - (6) Has congenital heart disease;
  - (7) Has received or will receive an organ transplant; or
  - (8) Has another serious medical condition for which donor breast milk is medically necessary.
- [PL 2021, c. 708, §1 (NEW).]

**2. Rulemaking.** The department shall adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.  
[PL 2021, c. 708, §1 (NEW).]

**REVISOR'S NOTE:** §3174-III. Reimbursement for comprehensive sexual and reproductive health care services (As enacted by PL 2021, c. 738, §1 is REALLOCATED TO TITLE 22, SECTION 3174-JJJ)

**SECTION HISTORY**

PL 2021, c. 708, §1 (NEW).

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