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Date: (Filing No. H-)

HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
126TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 664, L.D. 951, Bill, “An Act To Repeal the 2-year Limit on Methadone and Suboxone Treatments under MaineCare”

Amend the bill by striking out the title and substituting the following:

'An Act To Amend the Prior Authorization Process for Methadone and Suboxone Treatments under MaineCare'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 22 MRSA §3174-SS, sub-§1, as enacted by PL 2011, c. 477, Pt. I, §1, is repealed and the following enacted in its place:

1. Twenty-four month limit. Beginning January 1, 2013, reimbursement under the MaineCare program for buprenorphine and naloxone combination drugs for the treatment of addiction to opioids is limited to a total of 24 months except that coverage must be provided beyond 24 months if one or more of the following apply:

- A. The individual is pregnant, has a serious and persistent mental illness or resides with a child under 3 years of age for whom the individual is primarily responsible;
- B. The individual is taking a daily maintenance amount of 4 milligrams or less; or
- C. The department gives prior authorization for coverage.

The 24-month limit includes months prior to January 1, 2013 for which the individual received coverage.

The department shall adopt rules to implement this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

Sec. 2. 22 MRSA §3174-VV, as reallocated by RR 2011, c. 2, §27, is repealed and the following enacted in its place:

COMMITTEE AMENDMENT

1 **§3174-VV. Methadone reimbursement limitations**

2 **1. Twenty-four month limit.** Effective January 1, 2013, reimbursement under the
 3 MaineCare program for methadone for the treatment of addiction to opioids is limited to a
 4 lifetime maximum of 24 months, except that coverage must be provided beyond 24
 5 months if one of the following apply:

6 A. The individual is pregnant, has a serious and persistent mental illness or resides
 7 with a child under 3 years of age for whom the individual is primarily responsible;

8 B. The individual is taking an adequate daily amount that is considered to be a
 9 maintenance amount; or

10 C. The department gives prior authorization for coverage.

11 **2. Rulemaking.** The department shall adopt rules to implement this section. Rules
 12 adopted pursuant to this subsection are routine technical rules as defined by Title 5,
 13 chapter 375, subchapter 2-A. The rules must include a determination of an amount
 14 considered a maintenance amount pursuant to subsection 1, paragraph B.

15 **Sec. 3. Department of Health and Human Services to increase**
 16 **MaineCare reimbursement rates.** The Department of Health and Human Services
 17 shall amend its MaineCare rules regarding reimbursement rates paid to methadone clinics
 18 to increase the rate from \$60 a week to \$70 a week beginning October 1, 2013.

19 **Sec. 4. Appropriations and allocations.** The following appropriations and
 20 allocations are made.

21 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)**

22 **Mental Health Services - Community Medicaid 0732**

23 Initiative: Provides funds to allow MaineCare reimbursement for methadone for the
 24 treatment of addiction to opioids under certain conditions.

25	GENERAL FUND	2013-14	2014-15
26	All Other	\$0	\$208,848
27			
28	GENERAL FUND TOTAL	\$0	\$208,848

29 **Office of Substance Abuse - Medicaid Seed 0844**

30 Initiative: Provides funds to allow MaineCare reimbursement for methadone for the
 31 treatment of addiction to opioids under certain conditions.

32	GENERAL FUND	2013-14	2014-15
33	All Other	\$0	\$60,237
34			
35	GENERAL FUND TOTAL	\$0	\$60,237

1	HEALTH AND HUMAN SERVICES,		
2	DEPARTMENT OF (FORMERLY BDS)		
3	DEPARTMENT TOTALS	2013-14	2014-15
4			
5	GENERAL FUND	\$0	\$269,085
6			
7	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$269,085

8 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**
 9 **Medical Care - Payments to Providers 0147**

10 Initiative: Provides funds to allow MaineCare reimbursement for buprenorphine and
 11 naloxone combination drugs for the treatment of addiction to opioids under certain
 12 conditions.

13	GENERAL FUND	2013-14	2014-15
14	All Other	\$207,956	\$209,345
15			
16	GENERAL FUND TOTAL	\$207,956	\$209,345

17	FEDERAL EXPENDITURES FUND	2013-14	2014-15
18	All Other	\$336,503	\$335,115
19			
20	FEDERAL EXPENDITURES FUND TOTAL	\$336,503	\$335,115

21 **Medical Care - Payments to Providers 0147**
 22 Initiative: Provides funds to allow MaineCare reimbursement for methadone for the
 23 treatment of addiction to opioids under certain conditions.

24	GENERAL FUND	2013-14	2014-15
25	All Other	\$0	\$329,342
26			
27	GENERAL FUND TOTAL	\$0	\$329,342

28	FEDERAL EXPENDITURES FUND	2013-14	2014-15
29	All Other	\$0	\$957,949
30			
31	FEDERAL EXPENDITURES FUND TOTAL	\$0	\$957,949

1	HEALTH AND HUMAN SERVICES,		
2	DEPARTMENT OF (FORMERLY DHS)		
3	DEPARTMENT TOTALS	2013-14	2014-15
4			
5	GENERAL FUND	\$207,956	\$538,687
6	FEDERAL EXPENDITURES FUND	\$336,503	\$1,293,064
7			
8	DEPARTMENT TOTAL - ALL FUNDS	\$544,459	\$1,831,751
9	SECTION TOTALS	2013-14	2014-15
10			
11	GENERAL FUND	\$207,956	\$807,772
12	FEDERAL EXPENDITURES FUND	\$336,503	\$1,293,064
13			
14	SECTION TOTAL - ALL FUNDS	\$544,459	\$2,100,836

15 **Sec. 5. Appropriations and allocations.** The following appropriations and
 16 allocations are made.

17 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**

18 **Medical Care - Payments to Providers 0147**

19 Initiative: Provides funds to increase reimbursement rates paid to methadone clinics from
 20 \$60 a week to \$70 a week beginning October 1, 2013.

21	GENERAL FUND	2013-14	2014-15
22	All Other	\$370,383	\$497,141
23			
24	GENERAL FUND TOTAL	\$370,383	\$497,141

25	FEDERAL EXPENDITURES FUND	2013-14	2014-15
26	All Other	\$599,333	\$795,813
27			
28	FEDERAL EXPENDITURES FUND TOTAL	\$599,333	\$795,813

30 **SUMMARY**

31 This amendment replaces the bill and is the majority report of the committee. The
 32 amendment amends the prior authorization process for methadone and so-called
 33 Suboxone treatments under MaineCare. It allows for the continuation of coverage,
 34 without prior authorization, if the individual receiving the treatment is pregnant, has
 35 serious and persistent mental illness or resides with a child under 3 years of age for whom
 36 the individual is primarily responsible. It also allows an individual who is on a low daily

1 dose that is considered a maintenance dose to continue coverage without prior
2 authorization. For Suboxone, this amount is 4 milligrams. The maintenance dose for
3 methadone will be determined in the Department of Health and Human Services rules.
4 The amendment also directs the department to increase the reimbursement rates paid to
5 methadone clinics from \$60 a week to \$70 a week.

6 **FISCAL NOTE REQUIRED**

7 **(See attached)**