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Date:

(Filing No. H-)

HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 144, L.D. 223, “Resolve, Directing the Department of Health and Human Services to Amend Its Rules Regarding Pharmacy Services”

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

'Resolve, Directing the Department of Health and Human Services to Amend MaineCare Rules Regarding Pharmacy Services'

Amend the resolve by striking out everything after the title and inserting the following:

'Sec. 1. Department of Health and Human Services to amend rules; report. Resolved: That the Department of Health and Human Services shall amend its rules in Chapter 101: MaineCare Benefits Manual, Chapters II and III, Sections 40 and 96 as needed to allow reimbursement of providers of Section 40 and Section 96 services to contract with pharmacists to provide pharmacy consultation and medication evaluation to MaineCare members via telehealth or in a home visit when technology is not the most effective mode of communication. This reimbursement must continue until the department is able to provide direct reimbursement through the MaineCare program for pharmacist consultation and medication evaluation or until October 1, 2027, whichever is sooner. No later than December 15, 2026, the department shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters on the status of the department's ability to provide direct reimbursement through the MaineCare program for pharmacist consultation and medication evaluation. The committee may report out legislation related to the report to the 133rd Legislature in 2027.

Sec. 2. Report. Resolved: That the Department of Health and Human Services shall report regarding progress made in rulemaking and the implementation of the reimbursement of providers of Section 40 and Section 96 services under section 1, as well as progress made toward direct reimbursement for pharmacist consultation and medication evaluation, to the joint standing committee of the Legislature having jurisdiction over health and human services matters by November 6, 2024. The committee may report out legislation related to the report to the 132nd Legislature in 2025.

COMMITTEE AMENDMENT

1 **Sec. 3. Appropriations and allocations. Resolved:** That the following
 2 appropriations and allocations are made.

3 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**
 4 **Medical Care - Payments to Providers 0147**

5 Initiative: Provides funding for the Department of Health and Human Services to contract
 6 with a pharmacist licensed under the Maine Revised Statutes, Title 32, chapter 117 to
 7 provide consultation or medication evaluation to a MaineCare member via telehealth or in
 8 a home visit when technology is not the most effective mode of communication for
 9 services.

10	GENERAL FUND	2023-24	2024-25
11	All Other	\$74,485	\$148,971
12			
13	GENERAL FUND TOTAL	<u>\$74,485</u>	<u>\$148,971</u>

15	FEDERAL EXPENDITURES FUND	2023-24	2024-25
16	All Other	\$137,253	\$271,476
17			
18	FEDERAL EXPENDITURES FUND TOTAL	<u>\$137,253</u>	<u>\$271,476</u>

20	FEDERAL BLOCK GRANT FUND	2023-24	2024-25
21	All Other	\$5,321	\$13,672
22			
23	FEDERAL BLOCK GRANT FUND TOTAL	<u>\$5,321</u>	<u>\$13,672</u>

24 **Office of MaineCare Services 0129**

25 Initiative: Provides one-time funding for technology changes required to allow for the
 26 Department of Health and Human Services to contract with a pharmacist licensed under
 27 the Maine Revised Statutes, Title 32, chapter 117 to be reimbursed for providing
 28 consultation or medication evaluation.

29	GENERAL FUND	2023-24	2024-25
30	All Other	\$41,153	\$0
31			
32	GENERAL FUND TOTAL	<u>\$41,153</u>	<u>\$0</u>

34	FEDERAL EXPENDITURES FUND	2023-24	2024-25
35	All Other	\$123,458	\$0
36			
37	FEDERAL EXPENDITURES FUND TOTAL	<u>\$123,458</u>	<u>\$0</u>

38 **PNMI Room and Board Z009**

39 Initiative: Provides funding for the Department of Health and Human Services to contract
 40 with a pharmacist licensed under the Maine Revised Statutes, Title 32, chapter 117 to
 41 provide consultation or medication evaluation to a MaineCare member via telehealth or in

1 a home visit when technology is not the most effective mode of communication for
 2 services.

3	GENERAL FUND	2023-24	2024-25
4	All Other	\$218	\$434
5			
6	GENERAL FUND TOTAL	<u>\$218</u>	<u>\$434</u>

8	HEALTH AND HUMAN SERVICES,		
9	DEPARTMENT OF		
10	DEPARTMENT TOTALS	2023-24	2024-25
11			
12	GENERAL FUND	\$115,856	\$149,405
13	FEDERAL EXPENDITURES FUND	\$260,711	\$271,476
14	FEDERAL BLOCK GRANT FUND	\$5,321	\$13,672
15			
16	DEPARTMENT TOTAL - ALL FUNDS	<u>\$381,888</u>	<u>\$434,553</u>

17
 18 Amend the resolve by relettering or renumbering any nonconsecutive Part letter or
 19 section number to read consecutively.

20 **SUMMARY**

21 This amendment replaces the resolve. It requires the Department of Health and Human
 22 Services to amend its rules in Chapter 101: MaineCare Benefits Manual, Chapters II and
 23 III, Sections 40 and 96 as needed to allow reimbursement of providers of Section 40 and
 24 Section 96 services to contract with pharmacists to provide pharmacy consultation and
 25 medication evaluation to MaineCare members via telehealth or in a home visit when
 26 technology is not the most effective mode of communication. This reimbursement must
 27 continue until the department is able to provide direct reimbursement through the
 28 MaineCare program for pharmacist consultation and medication evaluation or until
 29 October 1, 2027, whichever is sooner. It requires the department to report regarding
 30 progress made in rulemaking and the implementation of the reimbursement of providers of
 31 Section 40 and Section 96 services, as well as progress made toward direct reimbursement
 32 for pharmacist consultation and medication evaluation, to the joint standing committee of
 33 the Legislature having jurisdiction over health and human services matters by November
 34 6, 2024.

35 **FISCAL NOTE REQUIRED**

36 **(See attached)**