

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND TWENTY-THREE

S.P. 260 - L.D. 592

An Act to Amend the Law Governing MaineCare Coverage of Chiropractic Treatment

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 22 MRSA §3174-CCC, sub-§1, as enacted by PL 2019, c. 421, §1 and reallocated by RR 2019, c. 1, Pt. A, §24, is repealed and the following enacted in its place:

1. Reimbursement. The department shall reimburse under the MaineCare program for certain chiropractic services, as described in this section and defined in department rules, performed by a chiropractic doctor licensed under Title 32, chapter 9 that are within the scope of practice of chiropractic doctors. Services that are reimbursed are the following:

A. Treatment by means of manual manipulation of the spine;

B. Evaluation and management examinations; and

C. Physical therapy when the service is otherwise covered by MaineCare when performed by a physical therapist licensed under Title 32, chapter 45-A.

This subsection does not affect any limits that may apply to reimbursements such as limits on the number of visits.

Sec. 2. State plan amendment. No later than July 1, 2024, the Department of Health and Human Services shall apply to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services for a state plan amendment to allow for Medicaid reimbursement for physical therapy services performed by chiropractic doctors licensed under the Maine Revised Statutes, Title 32, chapter 9 within their scope of practice as long as those services are covered when performed by licensed physical therapists.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

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

Initiative: Provides one-time funding for physical therapy services that are within a chiropractic doctor's scope of practice and are otherwise covered if provided by a licensed physical therapist.

GENERAL FUND	2023-24	2024-25
All Other	\$0	\$33,716
GENERAL FUND TOTAL	\$0	\$33,716
FEDERAL EXPENDITURES FUND	2023-24	2024-25
All Other	\$0	\$77,722
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$77,722
FEDERAL BLOCK GRANT FUND	2023-24	2024-25
All Other	\$0	\$1,755
FEDERAL BLOCK GRANT FUND TOTAL	\$0	\$1,755

Sec. 4. Contingent effective date. That section of this Act that repeals and replaces the Maine Revised Statutes, Title 22, section 3174-CCC, subsection 1 does not take effect unless:

1. The United States Department of Health and Human Services, Centers for Medicare and Medicaid Services approves a state plan amendment to allow for Medicaid reimbursement for physical therapy services performed by chiropractic doctors licensed under Title 32, chapter 9 within their scope of practice as long as those services are covered when performed by licensed physical therapists; and

2. The Commissioner of Health and Human Services notifies the Secretary of State, the Secretary of the Senate, the Clerk of the House of Representatives and the Revisor of Statutes that written approval for the state plan amendment has been received.