

Date:

(Filing No. S-)

HEALTH AND HUMAN SERVICES

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

131ST LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to S.P. 260, L.D. 592, “An Act to Amend the Law Governing MaineCare Coverage of Chiropractic Treatment”

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

'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 A, §24, is repealed and the following enacted in its place: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.

COMMITTEE AMENDMENT

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

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

6 GENERAL FUND	2023-24	2024-25
7 All Other	\$0	\$33,716
8		
9 GENERAL FUND TOTAL	<hr/> \$0	<hr/> \$33,716

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11 FEDERAL EXPENDITURES FUND	2023-24	2024-25
12 All Other	\$0	\$77,722
13		
14 FEDERAL EXPENDITURES FUND TOTAL	<hr/> \$0	<hr/> \$77,722

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16 FEDERAL BLOCK GRANT FUND	2023-24	2024-25
17 All Other	\$0	\$1,755
18		
19 FEDERAL BLOCK GRANT FUND TOTAL	<hr/> \$0	<hr/> \$1,755

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

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

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

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

33 **SUMMARY**

34 This amendment removes the requirement in the bill to provide MaineCare
 35 reimbursement for all services within a chiropractic doctor's scope of practice and replaces
 36 it with reimbursement for physical therapy services within a chiropractic doctor's scope of
 37 practice that are otherwise covered if provided by a licensed physical therapist. It includes
 38 in chiropractic services that are reimbursable under MaineCare the manual manipulation
 39 of the spine, which is already covered under Department of Health and Human Services

1 rules. It changes the date for the state plan amendment to be submitted from January 2024
2 to July 2024.

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FISCAL NOTE REQUIRED
(See attached)