

## 131st MAINE LEGISLATURE

## **SECOND REGULAR SESSION-2024**

**Legislative Document** 

No. 2083

S.P. 876

In Senate, January 3, 2024

Resolve, to Establish the Stakeholder Group to Ensure Timely Access to Medication Management Across the State

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Health and Human Services suggested and ordered printed.

DAREK M. GRANT Secretary of the Senate

Presented by Senator BRENNER of Cumberland.
Cosponsored by Representative CLOUTIER of Lewiston and
Senators: BALDACCI of Penobscot, INGWERSEN of York, MOORE of Washington,
ROTUNDO of Androscoggin, Representatives: DODGE of Belfast, GATTINE of Westbrook,
OSHER of Orono, STOVER of Boothbay.

**Emergency preamble. Whereas,** acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** the Stakeholder Group to Ensure Timely Access to Medication Management Across the State is tasked with studying current use of and problem areas in medication management in the State; and

**Whereas,** the study must be initiated before the 90-day period expires in order that the study may be completed and a report submitted in time for submission to the next legislative session; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

PART A

- **Sec. A-1. Stakeholder group established. Resolved:** That the Stakeholder Group to Ensure Timely Access to Medication Management Across the State, referred to in this resolve as "the stakeholder group," is established.
- **Sec. A-2. Stakeholder group membership. Resolved:** That, notwithstanding Joint Rule 353, the stakeholder group consists of 10 members appointed as follows:
- 1. Two providers of medication management services, one appointed by the President of the Senate and one appointed by the Speaker of the House;
- 2. Two family members of persons seeking or using medication management services, appointed by the President of the Senate;
- 3. Two physicians who refer patients for medication management, appointed by the President of the Senate;
- 4. Two consumers of medication management services, appointed by the Speaker of the House; and
  - 5. Two advocates for mental health services, appointed by the Speaker of the House.
- **Sec. A-3. Chairs. Resolved:** That, notwithstanding Joint Rule 353, the first member appointed by the President of the Senate and the first member appointed by the Speaker of the House are cochairs of the stakeholder group.
- Sec. A-4. Appointments; convening of the stakeholder group. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the stakeholder group. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the stakeholder group to meet and conduct its business.
- **Sec. A-5. Duties. Resolved:** That the stakeholder group shall determine current use of and problem areas in medication management in the State.

1	Sec. A-6. Staff assistance. Resolved: That the Legislative Council shall provide
2	necessary staffing services to the stakeholder group, except that Legislative Council staff
3	support is not authorized when the Legislature is in regular or special session.
4	Sec. A-7. Report. Resolved: That, no later than November 6, 2024, the
5	stakeholder group shall submit a report that includes its findings and recommendations,
6	including suggested legislation, for presentation to the 132nd Legislature in 2025.
7	PART B

PART B

8

9 10

11 12

13

14

15

16 17

18

19

21

22

23

24

25

26

27

28 29

30

31

32 33

34

- Sec. B-1. Negative rate changes for medication management services **prohibited.** Resolved: That the Department of Health and Human Services may not implement any negative rate changes for any provider or category of provider for medication management for behavioral health services until:
- 1. The stakeholder group determines current use of and problem areas in medication management in the State; and
- 2. The department presents data to the joint standing committee of the Legislature having jurisdiction over health and human services matters documenting current use of medication management services, wait lists and predictions for unmet needs over the next 5 years.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

20 **SUMMARY** 

> This resolve establishes the Stakeholder Group to Ensure Timely Access to Medication Management Across the State to determine current use of and problem areas in medication management in the State. It requires the stakeholder group to submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the 132nd Legislature in 2025.

> It also prohibits the Department of Health and Human Services from implementing any negative rate changes for any provider or category of provider for medication management for behavioral health services until:

- 1. The stakeholder group determines current use of and problem areas in medication management in the State; and
- 2. The department presents data to the joint standing committee of the Legislature having jurisdiction over health and human services matters documenting current use of medication management services, wait lists and predictions for unmet needs over the next 5 years.