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## **An Act To Clarify Case Management Supervision Authority and Ensure Access to Case Management Services**

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

**Whereas,** case management services critical to the well-being of many individuals covered by the MaineCare program and other programs of health insurance are provided in this State by capable professionals licensed in a variety of different health care disciplines; and

**Whereas,** these qualified professionals, pursuant to general authority under their licenses to practice their professions, have delegated certain case management functions to other capable and qualified persons; and

**Whereas,** the absence of explicit language in certain licensing statutes referring to case management as one of the activities within the scope of licensed practice and one of the activities that can be appropriately delegated has raised questions concerning whether these services can be reimbursed under the MaineCare program when provided by these licensed professionals; and

**Whereas,** denial of reimbursement for case management provided by or under the supervision of various licensed professionals will result in an acute shortage of case management services, placing at risk the well-being of many persons with serious illness; and

**Whereas,** clarifying the authority of these professionals through explicit language in the governing statutes may prevent or correct misunderstandings that have arisen concerning the preexisting scope of authority of these professionals; 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 enacted by the People of the State of Maine as follows:**

**Sec. 1. 22 MRSA §3174-SS** is enacted to read:

### **§ 3174-SS. Reimbursement of qualified professionals for case management services**

The department shall provide that payment for case management services under the MaineCare program includes reimbursement at reasonable rates for medically necessary case management services provided by or under the supervision of the following licensed professionals:

- 1. Physicians.** Physicians;
- 2. Physician assistants.** Physician assistants;

3. **Psychologists.** Psychologists;
4. **Registered nurses.** Registered nurses;
5. **Advanced practice registered nurses.** Advanced practice registered nurses;
6. **Clinical professional counselors.** Clinical professional counselors; and
7. **Marriage and family therapists.** Marriage and family therapists.

**Sec. 2. 32 MRSA §2210** is enacted to read:

**§ 2210. Scope of practice; case management services**

It is within the scope of practice of a registered nurse or an advanced practice registered nurse licensed under this chapter to provide or supervise the provision of case management services under the MaineCare program.

**Sec. 3. 32 MRSA §3300-C** is enacted to read:

**§ 3300-C. Scope of practice; case management services**

It is within the scope of practice of a physician or a physician assistant licensed under this chapter to provide or supervise the provision of case management services under the MaineCare program.

**Sec. 4. 32 MRSA §3811, sub-§4** is enacted to read:

**4. Scope of practice; case management services.** It is within the scope of practice of a psychologist licensed under this chapter to provide or supervise the provision of case management services under the MaineCare program.

**Sec. 5. 32 MRSA §13851-A** is enacted to read:

**§ 13851-A. Scope of practice; case management services**

It is within the scope of practice of a clinical professional counselor or a marriage and family therapist licensed under this chapter to provide or supervise the provision of case management services under the MaineCare program.

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

## SUMMARY

This bill ensures continuation of federal financial participation under the MaineCare program by clarifying the authority of certain licensed professionals to provide and supervise the provision of case management services under the program.