

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out all of section 1 and inserting the following:

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

**§ 3174-AAA. Medical nutritional therapy; rules**

The department shall provide for the reimbursement under the MaineCare program for medical nutritional therapy services to treat obesity, unhealthy weight, hypertension, diabetes, prediabetes, disorders of lipid metabolism, HIV infection, unintended weight loss in older adults, chronic kidney disease, gastrointestinal conditions, malnutrition and inappropriate eating habits. Medical nutritional therapy services may be provided by physicians licensed pursuant to Title 32, chapter 36 or 48 or dietitians licensed pursuant to Title 32, chapter 104 who practice in hospitals, outpatient settings or private offices.

As used in this section, "medical nutritional therapy" means a therapeutic approach to treating medical conditions and their associated symptoms by use of counseling and a specifically tailored diet devised and monitored by a physician licensed pursuant to Title 32, chapter 36 or 48 or a dietitian licensed pursuant to Title 32, chapter 104.

The department shall adopt rules to implement this section. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 2. Appropriations and allocations.** The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

**Medical Care - Payments to Providers 0147**

Initiative: Provides allocations for reimbursement under the MaineCare program for medical nutritional therapy services provided by physicians or licensed dietitians.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$69,061
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$69,061</b>

<b>FUND FOR A HEALTHY MAINE</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$38,277
<b>FUND FOR A HEALTHY MAINE TOTAL</b>	<b>\$0</b>	<b>\$38,277</b>

## **SUMMARY**

This amendment, which is the majority report of the committee, provides funding for reimbursing medical nutritional therapy services from the Fund for a Healthy Maine. It removes the requirement for MaineCare to reimburse for obesity treatment medication. It identifies the specific conditions for which medical nutritional therapy services are reimbursed and adds gastrointestinal conditions to the list. It removes dietitian nutritionists and clarifies that physicians and dietitians providing medical nutritional therapy services must be licensed by their professional licensing boards.

## **FISCAL NOTE REQUIRED**

**(See attached)**