

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 in section 1 in §3174-EEE by striking out all of subsection 1 and inserting the following:

**1. Reimbursement.** The department shall provide reimbursement under the MaineCare program for pasteurized donor breast milk provided to an infant receiving benefits under this chapter if a physician or physician assistant licensed under Title 32, chapter 36 or 48 or an advanced practice registered nurse licensed under Title 32, chapter 31 signs an order stating that:

A. The infant is medically or physically unable to receive maternal breast milk or participate in breastfeeding or the infant's mother is medically or physically unable to produce maternal breast milk in quantities sufficient for the infant; and

B. The infant:

(1) Was born at a birth weight of less than 1,500 grams;

(2) Has a gastrointestinal anomaly or metabolic or digestive disorder or is recovering from intestinal surgery and the infant's digestive needs require additional support;

(3) Is not appropriately gaining weight or growing;

(4) Has formula intolerance and is experiencing weight loss or difficulty feeding;

(5) Has low blood sugar;

(6) Has congenital heart disease;

(7) Has received or will receive an organ transplant; or

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(8) Has another serious medical condition for which donor breast milk is medically necessary.

Amend the bill in section 2 in the 2nd to last line (page 1, line 20 in L.D.) by inserting after the following: "coverage" the following: 'consistent with this Act'

Amend the bill in section 2 in the 2nd to last line (page 1, line 20 in L.D.) by striking out the following: "medically necessary"

Amend the bill by adding after section 2 the following:

**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 appropriations and allocations to the Department of Health and Human Services to provide reimbursement under the MaineCare program for pasteurized donor breast milk provided to an infant if a physician, physician assistant or advanced practice registered nurse signs an order stating that such milk is necessary.

<b>GENERAL FUND</b>	<b>2019-20</b>	<b>2020-21</b>
All Other	\$0	\$207,673
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<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$207,673</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2019-20</b>	<b>2020-21</b>
All Other	\$0	\$364,705
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<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$364,705</b>

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

**SUMMARY**

This amendment, which is the unanimous report of the committee, amends the bill to change the criteria by which an infant receiving MaineCare benefits may receive pasteurized donor breast milk to be consistent with the current coverage of donor breast milk under the federal TRICARE program providing health insurance to uniformed service members and veterans and their families.

**FISCAL NOTE REQUIRED**  
(See attached)