



# 132nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2025

---

Legislative Document

No. 865

---

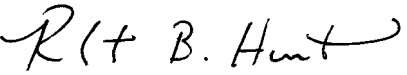
H.P. 551

House of Representatives, March 4, 2025

### **An Act to Require MaineCare to Reimburse for Lactation Services in the Homes of Eligible Persons**

---

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

  
ROBERT B. HUNT  
Clerk

Presented by Representative BOYER of Cape Elizabeth.  
Cosponsored by Senator CARNEY of Cumberland and  
Representatives: CLOUTIER of Lewiston, MILLIKEN of Blue Hill.

**Be it enacted by the People of the State of Maine as follows:**

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

**§3174-PPP. Reimbursement for lactation services**

**1. Definition.** For the purposes of this section, "lactation services" means educational or consultation services related to breastfeeding.

**2. Reimbursement.** The department shall provide reimbursement under the MaineCare program for lactation services provided in a hospital or in the home of the person eligible for the program. Lactation services may be provided by a health care professional licensed under Title 32 acting within the health care professional's authorized scope of practice or by a consultant or counselor who is certified by a national organization that provides a national certification program in lactation consulting or lactation counseling and is approved by the department.

**3. Eligibility for parents of covered children.** The parent breastfeeding a child who is eligible for coverage under the MaineCare program established in section 3174-G, subsection 1, paragraph B or the Children's Health Insurance Program established in section 3174-T, is eligible for services under this section even if the parent is not otherwise eligible for MaineCare.

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

**Sec. 2. State plan amendment.** No later than January 1, 2026, 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 implement the Maine Revised Statutes, Title 22, section 3174-PPP. The state plan amendment application must allow for Medicaid reimbursement for lactation services provided at the hospital or at the home of eligible persons that are performed by lactation consultants certified by the International Board of Lactation Consultant Examiners or its successor organization acting within the scope of practice.

**Sec. 3. Rulemaking.** Upon approval of a state plan amendment under section 2, the Department of Health and Human Services shall adopt or amend rules within 6 months to allow for reimbursement required pursuant to the Maine Revised Statutes, Title 22, section 3174-PPP.

## SUMMARY

This bill requires the Department of Health and Human Services to reimburse for lactation services in hospitals and in the homes of eligible persons. It requires the department to reimburse for services provided by lactation consultants certified by the International Board of Lactation Consultant Examiners. The department must apply for a state plan amendment no later than January 1, 2026 and adopt or amend rules within 6 months of approval.