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Legislative Document

No. 1064

H.P. 793

House of Representatives, March 11, 2021

An Act To Advance Palliative Care Utilization in the State

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

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative CRAVEN of Lewiston.
Cosponsored by Senator BALDACCI of Penobscot and
Representatives: CLOUTIER of Lewiston, McCREIGHT of Harpswell, MEYER of Eliot,
PERRY of Calais, STOVER of Boothbay, Senators: CLAXTON of Androscoggin, MOORE of
Washington.

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

2 **Sec. 1. 22 MRSA §1726-A** is enacted to read:

3 **§1726-A. Palliative care**

4 **1. Definition.** For the purposes of this section, "palliative care" has the same meaning
5 as in section 1726.

6 **2. Rules.** The department shall adopt rules that support and standardize the delivery
7 of palliative care in the State. The rules must include, but are not limited to, strategies for
8 the distribution of public educational documents and the distribution by health care
9 providers of information regarding the availability of palliative care to patients. Rules
10 adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter
11 375, subchapter 2-A.

12 **3. Stakeholders.** The department shall periodically consult with the Maine Hospice
13 Council established in section 8611, the Palliative Care and Quality of Life
14 Interdisciplinary Advisory Council established in Title 5, section 12004-I, subsection 47-I
15 and other stakeholders when developing educational documents and rules related to this
16 section.

17 **Sec. 2. 22 MRSA §3174-FFF** is enacted to read:

18 **§3174-FFF. Palliative care reimbursement**

19 **1. Reimbursement.** The department shall provide reimbursement under the
20 MaineCare program for palliative care for the entire interdisciplinary team as appropriate
21 to the plan of care, regardless of setting, including hospitals, nursing homes, outpatient
22 clinics and home care providers. For the purposes of this section, "palliative care" has the
23 same meaning as in section 1726.

24 **2. Rules.** The department shall adopt rules to implement this section. The rules must
25 include, but are not limited to, reimbursement policies and quality control measures that
26 ensure and promote high-value palliative care under the MaineCare program. Rules
27 adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter
28 375, subchapter 2-A.

29 **SUMMARY**

30 This bill directs the Department of Health and Human Services to provide
31 reimbursement under the MaineCare program for palliative care for the entire
32 interdisciplinary team as appropriate to the plan of care, regardless of setting, including
33 hospitals, nursing homes, outpatient clinics and home care providers. It also requires the
34 department to adopt rules that support and standardize the delivery of palliative care in the
35 State, including but not limited to strategies for the distribution of public educational
36 documents and the distribution by health care providers of information regarding the
37 availability of palliative care to patients. It also requires the department to consult with the
38 Maine Hospice Council, the Palliative Care and Quality of Life Interdisciplinary Advisory
39 Council and other stakeholders when developing educational documents and rules related
40 to palliative care.