

Date:

(Filing No. H- )

**HEALTH AND HUMAN SERVICES**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
129TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 686, L.D. 931, Bill, “An Act Concerning the Department of Health and Human Services”

Amend the bill by striking out the title and substituting the following:

**'An Act To Reduce Obesity by Reimbursing for Prescription Drug Therapy Provided by a Member of a Weight Management Team'**

Amend the bill by striking out everything after the enacting clause and inserting the following:

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

**§3174-BBB. Prescription drug therapy for obesity; rules**

The department shall provide for reimbursement under the MaineCare program for prescription drug therapy services to treat obesity that are provided by a physician licensed pursuant to Title 32, chapter 36 or 48, physician assistant licensed pursuant to Title 32, chapter 36 or 48 or nurse practitioner licensed pursuant to Title 32, chapter 31 who is part of a weight management team. Prescription drug therapy services may be provided in any office, facility or other setting in which the medical provider practices.

For purposes of this section, "weight management team" means a multidisciplinary group of providers who provide comprehensive weight management services to a patient, including, but not limited to, behavioral health services; medical nutrition therapy; physical activity, including but not limited to physical therapy, athletic training, or kinesiology; or specialized medical services, including but not limited to services related to endocrinology, diabetes, metabolism or bariatric surgery. A provider is not required to practice in the same setting as other members of the team to be considered part of a weight management team under this section. As used in this section, "medical nutrition therapy" means a therapeutic approach to treating obesity and its 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, a physician assistant licensed pursuant to Title 32, chapter 36 or 48, a dietitian licensed pursuant to Title 32, chapter 104 or a nurse practitioner licensed pursuant to Title 32, chapter 31.

**COMMITTEE AMENDMENT**

1            The department shall adopt rules to implement this section. Rules adopted pursuant to  
2 this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter  
3 2-A.

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

6            **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

7            **Medical Care - Payments to Providers 0147**

8 Initiative: Provides appropriations and allocations for reimbursement under the  
9 MaineCare program for obesity treatment medication.

10	<b>GENERAL FUND</b>	<b>2019-20</b>	<b>2020-21</b>
11	All Other	\$3,949,213	\$2,889,105
12		<hr/>	<hr/>
13	GENERAL FUND TOTAL	\$3,949,213	\$2,889,105

14	<b>FEDERAL EXPENDITURES FUND</b>	<b>2019-20</b>	<b>2020-21</b>
15	All Other	\$9,517,922	\$6,509,885
16		<hr/>	<hr/>
17	FEDERAL EXPENDITURES FUND TOTAL	\$9,517,922	\$6,509,885

18	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2019-20</b>	<b>2020-21</b>
19	All Other	\$1,882,036	\$5,018,761
20		<hr/>	<hr/>
21	OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,882,036	\$5,018,761

22  
23            Amend the bill by relettering or renumbering any nonconsecutive Part letter or  
24 section number to read consecutively.

25            **SUMMARY**

26            This amendment, which is the majority report of the committee, strikes the bill,  
27 which is a concept draft, to provide for reimbursement under the MaineCare program for  
28 prescription drug therapy services to treat obesity. The amendment also adds an  
29 appropriations and allocations section.

30            **FISCAL NOTE REQUIRED**

31            (See attached)