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Date: (Filing No. H- )

**HEALTH AND HUMAN SERVICES**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
128TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 991, L.D. 1436, “Resolve, To Reduce MaineCare Spending through Targeted Nutrition Interventions”

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

**Sec. 1. Department of Health and Human Services to seek demonstration waiver. Resolved:** That the Department of Health and Human Services shall file an application with the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to request a demonstration waiver under the federal Social Security Act, Section 1115 to develop a program to allow medically tailored food and nutrition interventions to be a reimbursable covered service. The program developed under the waiver is limited to patients being released from a hospital who have a high risk of readmission and have received a doctor's recommendation that certain elements of medically tailored food and nutrition interventions are necessary for the patient's health. Patients being offered medically tailored food and nutrition interventions may receive one meal per day for up to 7 days under the waiver program; and be it further

**Sec. 2. Department of Health and Human Services to reimburse for medical nutritional therapy. Resolved:** That the Department of Health and Human Services shall provide for reimbursement under the MaineCare program on a pilot basis for 5 years for medical nutritional therapy to treat conditions that include, but are not limited to, being overweight, obesity, hypertension, diabetes, pre-diabetes, disorders of lipid metabolism, HIV infection, unintended weight loss in older adults, chronic kidney disease, gastrointestinal conditions, malnutrition and inappropriate eating habits. For the purposes of this section, "medical nutritional therapy" means a therapeutic approach to treatment of medical conditions and their associated symptoms by use of counseling and a specifically tailored diet devised and monitored by a physician licensed pursuant to the Maine Revised Statutes, Title 32, chapter 36 or 48 or a dietitian licensed pursuant to Title 32, chapter 104 who practices in a hospital, outpatient setting or private office. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A; and be it further'

**COMMITTEE AMENDMENT**

1 Amend the resolve in section 2 in the last line (page 1, line 22 in L.D.) by inserting  
 2 after the following: "interventions" the following: '. The report must also include the  
 3 number of individuals reimbursed under the MaineCare program under section 2 as well  
 4 as data relating to improved health status as a result of medical nutritional therapy'

5 Amend the resolve in section 3 in the last line (page 1, line 28 in L.D.) by striking out  
 6 the following: "54." and inserting the following: '54; and be it further'

7 Amend the resolve by inserting after section 3 the following:

8 **'Sec. 4. Appropriations and allocations. Resolved:** That the following  
 9 appropriations and allocations are made.

10 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**

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

12 Initiative: Provides appropriations and allocations for reimbursement of medically  
 13 tailored food and nutrition interventions for certain inpatients at high risk of readmission.

14	<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
15	All Other	\$20,365	\$27,153
16			
17	GENERAL FUND TOTAL	\$20,365	\$27,153

18	<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
19	All Other	\$36,744	\$48,992
20			
21	FEDERAL EXPENDITURES FUND TOTAL	\$36,744	\$48,992

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

23 Initiative: Provides appropriations and allocations for a 5-year pilot program to reimburse  
 24 for medical nutrition therapy to treat certain conditions.

25	<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
26	All Other	\$15,640	\$20,854
27			
28	GENERAL FUND TOTAL	\$15,640	\$20,854

29	<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
30	All Other	\$28,220	\$37,626
31			
32	FEDERAL EXPENDITURES FUND TOTAL	\$28,220	\$37,626

33 **Office of MaineCare Services 0129**

1 Initiative: Provides appropriations and allocations for development and testing of changes  
 2 to the Maine Integrated Health Management System claims processing system.

3	<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
4	All Other	\$74,580	\$0
5			
6	GENERAL FUND TOTAL	<u>\$74,580</u>	<u>\$0</u>

7	<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
8	All Other	\$223,740	\$0
9			
10	FEDERAL EXPENDITURES FUND TOTAL	<u>\$223,740</u>	<u>\$0</u>

11	<b>HEALTH AND HUMAN SERVICES,</b>		
12	<b>DEPARTMENT OF (FORMERLY DHS)</b>		
13	<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
14			
15	<b>GENERAL FUND</b>	<b>\$110,585</b>	<b>\$48,007</b>
16	<b>FEDERAL EXPENDITURES FUND</b>	<b>\$288,704</b>	<b>\$86,618</b>
17			
18	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u><b>\$399,289</b></u>	<u><b>\$134,625</b></u>
19			

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

22 **SUMMARY**

23 This amendment, which is the majority report of the committee, narrows the  
 24 medically tailored and nutrition interventions demonstration waiver program to  
 25 individuals who are being released from the hospital, are at risk of readmission and have  
 26 received a doctor's recommendation that certain elements of nutrition or foods are  
 27 necessary for the patient's health. Patients offered medically tailored food and nutrition  
 28 interventions may receive one meal per day for up to 7 days. The amendment also  
 29 requires the Department of Health and Human Services to reimburse under the  
 30 MaineCare program for medical nutritional therapy for certain conditions on a pilot basis.  
 31 The Department of Health and Human Services must report annually for 5 years on the  
 32 medically tailored food and nutritional interventions demonstration program and the  
 33 medical nutritional therapy pilot program.

34 The amendment also adds an appropriations and allocations section.

35 **FISCAL NOTE REQUIRED**

36 **(See attached)**