

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY

H.P. 1378 - L.D. 1934

An Act Regarding Prior Authorization for Treatment for Opioid Use
Disorder under the MaineCare Program

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

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

§3174-EEE. Prior authorization of treatment for opioid use disorder

1. Medication-assisted treatment. For the purposes of this section, "medication-assisted treatment" means an evidence-based practice that combines pharmacological interventions with substance use disorder counseling.

2. Prior authorization limitation. The department may not require under the MaineCare program prior authorization for the following:

A. The prescription of at least one drug for each therapeutic class of medication used for medication-assisted treatment for opioid use disorder; or

B. Intensive outpatient therapy services for a diagnosis of opioid use disorder.

3. Prior authorization for pregnant women. In addition to the prior authorization limits imposed in subsection 2, the department may not require under the MaineCare program any prior authorization requirements with respect to a pregnant woman for medication-assisted treatment for opioid use disorder or for intensive outpatient therapy services for a diagnosis of opioid use disorder.

4. Dosage increases. Notwithstanding subsections 2 and 3, the department may impose prior authorization requirements under the MaineCare program for dosage increases that exceed the department's dosing criteria as identified on the department's MaineCare preferred drug list.

5. Rulemaking. The department may 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.

The requirements of this section must be applied in a manner that is not inconsistent with the requirements of the Medicaid drug rebate program.