

Date:

(Filing No. S-)

HEALTH AND HUMAN SERVICES

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STATE OF MAINE

SENATE

128TH LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT “ ” to S.P. 383, L.D. 1162, Bill, “An Act To Reduce the Incidence of Obesity and Chronic Disease in Maine”

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

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

§3174-AAA. Medical nutritional therapy; rules

The department shall provide for the reimbursement under the MaineCare program for medical nutritional therapy services to treat obesity, unhealthy weight, hypertension, diabetes, prediabetes, disorders of lipid metabolism, HIV infection, unintended weight loss in older adults, chronic kidney disease, gastrointestinal conditions, malnutrition and inappropriate eating habits. Medical nutritional therapy services may be provided by physicians licensed pursuant to Title 32, chapter 36 or 48 or dietitians licensed pursuant to Title 32, chapter 104 who practice in hospitals, outpatient settings or private offices.

As used in this section, "medical nutritional therapy" means a therapeutic approach to treating medical conditions and their 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 or a dietitian licensed pursuant to Title 32, chapter 104.

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

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF

Medical Care - Payments to Providers 0147

Initiative: Provides a one-time allocation for reimbursement under the MaineCare program for medical nutritional therapy services provided by physicians or licensed dietitians.

COMMITTEE AMENDMENT

1	FEDERAL EXPENDITURES FUND	2017-18	2018-19
2	All Other	\$0	\$69,061
3			
4	FEDERAL EXPENDITURES FUND TOTAL	\$0	\$69,061

5	FUND FOR A HEALTHY MAINE	2017-18	2018-19
6	All Other	\$0	\$38,277
7			
8	FUND FOR A HEALTHY MAINE TOTAL	\$0	\$38,277
9			

10 **SUMMARY**

11 This amendment, which is the minority report of the committee, provides funding for
 12 reimbursing medical nutritional therapy services from the Fund for a Healthy Maine for
 13 one year. It removes the requirement for MaineCare to reimburse for obesity treatment
 14 medication. It identifies the specific conditions for which medical nutritional therapy
 15 services are reimbursed and adds gastrointestinal conditions to the list. It removes
 16 dietitian nutritionists and clarifies that physicians and dietitians providing medical
 17 nutritional therapy services must be licensed by their professional licensing boards.

18 **FISCAL NOTE REQUIRED**

19 **(See attached)**