



131st MAINE LEGISLATURE

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Legislative Document

No. 539

H.P. 344

House of Representatives, February 9, 2023

**An Act to Provide Substance Use Disorder Counseling for
MaineCare Members with an Acquired Brain Injury**

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


ROBERT B. HUNT
Clerk

Presented by Representative HEPLER of Woolwich.
Cosponsored by Senator MOORE of Washington and
Representatives: CRAFTS of Newcastle, JAVNER of Chester, MEYER of Eliot, STOVER of
Boothbay.

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

2 **Sec. 1. 22 MRSA §3086, sub-§2** is enacted to read:

3 **2. Substance use disorder.** "Substance use disorder" means a clinical and significant
4 functional impairment, including a health problem or a disability or an inability to meet
5 major responsibilities at work, home or school, due to the use of alcohol or a drug.

6 **Sec. 2. 22 MRSA §3088**, as repealed and replaced by PL 2011, c. 293, §3, is
7 amended to read:

8 **§3088. Comprehensive neurorehabilitation service system**

9 The department shall, within the limits of its available resources, develop a
10 comprehensive neurorehabilitation service system designed to assist, educate and
11 rehabilitate the person with an acquired brain injury to attain and sustain the highest
12 function and self-sufficiency possible using home-based and community-based treatments,
13 services and resources to the greatest possible degree. The comprehensive
14 neurorehabilitation service system must include, but is not limited to, care management and
15 coordination, crisis stabilization services, physical therapy, occupational therapy, speech
16 therapy, neuropsychology, neurocognitive retraining, positive neurobehavioral supports
17 and teaching, social skills retraining, counseling, substance use disorder counseling,
18 vocational rehabilitation and independent living skills and supports. The comprehensive
19 neurorehabilitation service system may include a posthospital system of nursing,
20 community residential facilities and community residential support programs designed to
21 meet the needs of persons who have sustained an acquired brain injury and assist in the
22 reintegration of those persons into their communities.

23 **Sec. 3. Department of Health and Human Services to include counseling**
24 **for substance use disorder in rehabilitative services for MaineCare members**
25 **who have sustained an acquired brain injury.** The Department of Health and Human
26 Services shall amend its rules to include counseling for substance use disorder co-occurring
27 with an acquired brain injury as part of rehabilitative services for eligible MaineCare
28 members who have sustained an acquired brain injury under the department's rule Chapter
29 101: MaineCare Benefits Manual, Chapter II, Section 102, Rehabilitative Services. For
30 purposes of this section, "substance use disorder" means a clinical and significant
31 functional impairment, including a health problem or a disability or an inability to meet
32 major responsibilities at work, home or school, due to the use of alcohol or a drug.

33 **SUMMARY**

34 This bill adds substance use disorder counseling to the comprehensive
35 neurorehabilitation service system administered by the Department of Health and Human
36 Services and directs the department to include counseling for substance use disorder in
37 rehabilitative services for MaineCare members who have sustained an acquired brain
38 injury.