

Janet T. Mills
Governor



Jeanne M. Lambrew, Ph.D.
Commissioner

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April 3, 2023

Senator Joseph Baldacci, Chair
Representative Michelle Meyer, Chair
Members, Joint Standing Committee on Health and Human Services
100 State House Station
Augusta, ME 04333-0100

Re: LD 979 – *Resolve, to Fund Treatment Services and Certain Transportation Costs for Individuals with Substance Use Disorder*

Senator Baldacci, Representative Meyer, and Members of the Joint Standing Committee on Health and Human Services:

This letter is to provide information on LD 979, *Resolve, to Fund Treatment Services and Certain Transportation Costs for Individuals with Substance Use Disorder*. This bill establishes detoxification beds and inpatient treatment beds for children and adults with substance use disorder and requires the Department of Health and Human Services to fund those beds. It requires that 50% of the beds be reserved for MaineCare members or individuals eligible for Medicare. It directs the department to amend its rules to provide for the reimbursement of transportation of MaineCare members to detoxification facilities.

This proposed bill appears to be a requirement of, and additional funding for, increased capacity of substance use residential treatment and Medically Supervised Withdrawal ('Detox') programs (or "beds"). These are licensed under 14-118 Chapter 5, Section 19. This proposed bill also has a requirement for transportation reimbursement for MaineCare members to such facilities.

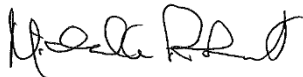
The Department has actively supported increasing Substance Use Disorder (SUD) treatment capacity. MaineCare has an 1115 waiver for SUD residential treatment and received an appropriation in P.L. 2021, ch. 398 for increased utilization of residential SUD treatment services resulting from that waiver. Improvements have also been made on reimbursement through recent, substantial investments in Private Non-Medical Institution Substance Use Treatment Facilities, and MaineCare is working on rate determination efforts for distinct SUD units within hospitals, which will yield further investment in SUD services. Capacity building efforts are underway through the Department's Capital RFPs to provide funding for building or expanding residential SUD treatment sites. In SFY23, the Department issued and awarded two SUD Residential RFAs to support the expansion of treatment beds in the State, providing up to \$5.4M in capital and catalyst funding. The proposed biennial budget also includes funding to support expanding capacity of substance use residential treatment and Medically Supervised Withdrawal ('Detox') programs.

LD 979 is somewhat unclear whether it is specifically referring to hospital inpatient beds, or if it is more broadly about residential SUD treatment. It is also unclear whether the intent is for the Department to directly provide these residential services, or to ensure coverage of these services through enrolled providers. The Department can provide incentives and assistance for increasing service capacity and utilization, but does not have direct control over the creation of beds by providers.

Section 2 of this bill would require Department reimbursement of transportation of MaineCare members to detoxification facilities, but MaineCare already covers medically necessary transportation to MaineCare-covered services, including to detoxification facilities, through Non-Emergency Transportation (NET). We understand that the sponsor may be intending for non-NET reimbursement, and we will work to learn more about this before the work session. Additional reimbursement would require general fund.

We wanted you to be aware of the above information as you consider this bill going forward. If you have any further questions, please feel free to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Michelle Probert". The signature is cursive and somewhat stylized.

Michelle Probert
Director
MaineCare Services