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**Testimony of Senator Harold “Trey” Stewart  
Presenting L.D. 595, Resolve, To Ensure That Access to Oral and Facial Ambulatory  
Surgical Centers in Maine Remains Viable  
Before the Health and Human Services Committee  
March 25, 2021**

Senator Claxton, Representative Meyer and members of the Health and Human Services Committee: I am Senator Trey Stewart and I have the distinction of representing 51 communities in Aroostook and Penobscot Counties. I am before you today to present L.D. 595, Resolve, To Ensure That Access to Oral and Facial Ambulatory Surgical Centers in Maine Remains Viable.

This bill comes to me by way of a local doctor in Presque Isle, Dr. Hank Ford, who runs the Northern Maine Oral and Facial Surgery Center. This center is the only ambulatory surgical center (ASC) in the state and they serve patients across all of Maine, including as far south as York County. We are fortunate today to have Dr. Ford join us and participate in this hearing this morning and I look forward to his testimony.

One of, if not the, largest insurance provider of patients of NMOFSC is MaineCare, which is not all that surprising, given that MaineCare insures over 20% of the state. As you know, these are individuals who are low-income and particularly in need of assistance, and yet the system that is designed to protect them may soon preclude them from being able to access critical services at all.

Previously, when Dr. Ford’s office began accepting MaineCare patients, they contacted the state to determine what they should bill under for MaineCare’s coding system. They were informed that 41899 was the code to use, which was apparently exclusive to their office, given that it’s the only ambulatory surgical center in the state. Since then, the rate has not increased. Now, years later, the cost of treating those same patients has continued to go up as the cost of doing business has gone up and the governmental regulations imposed on these healthcare facilities has increased.

Dr. Ford’s office has now reached the critical point at which it is no longer feasible to continue to operate and serve these individuals, which is why he contacted myself and Rep. White last year about putting in this legislation on his behalf. This bill is simple- yet will have a very positive impact for our state. It increases the rate that ASC’s can bill under to \$1,250 for freestanding ambulatory surgical centers performing procedures on the dentoalveolar structure. Dr. Ford and his staff worked to come up with this amount based on the actual cost of providing these services to patients. To be clear, this amount will not allow Dr. Ford’s office to get rich, but rather to break even and continue providing these critical services to the most vulnerable population in our state. If we do nothing on this issue, Dr. Ford will no longer be able to provide these services and Maine citizens on MaineCare will no longer be able to access an ambulatory

surgical center for fascial and dental procedures. Given that Dr. Ford's facility is the only one in the state that actually bills under this code, the fiscal impact of this change is limited, and we look forward to making the pitch to fund this initiative off of the Special Appropriations Table later this year, with the support of this committee in the form of an affirmative vote.

I appreciate Dr. Ford's willingness to engage with us this morning and want to ensure that we will have time for his testimony on his tight timeframe in between surgeries, so I will end my remarks here. I appreciate the committee's time and attention to this important issue and am happy to answer questions you may have at this time and will be available for the work session on this bill. Thank you.