

OFFICE OF POLICY AND LEGAL ANALYSIS

Date: April 30, 2021
To: Joint Standing Committee on Health & Human Services
From: Anna Broome, Legislative Analyst

LD 1553 An Act To Amend the Law Governing MaineCare Coverage of Chiropractic Treatment

SUMMARY: This bill requires all chiropractic services that are within the scope of practice of chiropractic doctors and performed by a licensed chiropractic doctor to be reimbursed under the MaineCare program. Under current law, DHHS is required to reimburse for only chiropractic evaluation and management examinations.

The bill also requires the department to apply for a state plan amendment to allow for Medicaid reimbursement for all chiropractic services within the scope of practice of chiropractic doctors no later than January 1, 2022. If the state plan amendment is not approved by the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services, chiropractic doctors will not be reimbursed by the MaineCare program for any additional chiropractic services not currently eligible for reimbursement.

ISSUES FROM TESTIMONY:

- Same bill as the amended version of LD 154 in the 129th. Disagreement about the fiscal note from LD 154 in terms of acupuncture. In 2020, Medicare began to cover acupuncture for chronic low back pain in certain circumstances and performed by certain providers (doctors, NPs, PAs and masters or doctoral level acupuncture training). Billing codes that would be covered under this bill are covered by Medicaid when performed by other providers (physical therapists, in particular).
- DHHS: 42 CFR §440.60 only allows for reimbursement to licensed chiropractors for treatment of manual manipulation of the spine. Unlikely to have a SPA approved.

FISCAL IMPACT:

Not yet received from OPFR.