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Date: (Filing No. S-)

HEALTH AND HUMAN SERVICES

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

131ST LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to S.P. 168, L.D. 361, “An Act to Increase the Reimbursement for Electronic Consultations Through Medicaid”

Amend the bill by striking out the title and substituting the following:

'Resolve, to Review MaineCare Reimbursement for Electronic Consultation Services'

Amend the bill by striking out everything after the title and inserting the following:

'Sec. 1. Electronic consultation services; review of MaineCare reimbursement. Resolved: That the Department of Health and Human Services shall undertake a review of the current MaineCare reimbursement rate for electronic consultation services, in a manner consistent with the process described in the Maine Revised Statutes, Title 22, section 3173-J, to determine whether the Medicare benchmark currently used to determine rates for these services is appropriate and to consider whether a different benchmark should be used to establish a revised rate for electronic consultation services. The department shall provide an opportunity for health care providers to participate in the review required by this section and shall complete its review and adopt rules establishing any recommended rate increase no later than July 1, 2024. For purposes of this resolve, "electronic consultation services" means interprofessional assessment and management services provided by a consultative physician or referral services provided by a treating or requesting physician or other qualified health care provider, delivered via telephone, the Internet or an electronic health record.

Sec. 2. Review of commercial insurance coverage for electronic consultation services. Resolved: That the Department of Professional and Financial Regulation, Bureau of Insurance shall conduct an examination of laws governing telehealth services and shall examine whether the law requires all commercial health plans to cover electronic consultation services and, if not, an analysis of the effect on premiums, if any, of requiring all health insurance policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State to provide coverage of electronic consultation services at rates no less than those currently paid by commercial health plans covering those services in this State. The bureau shall submit a report of its findings to the

COMMITTEE AMENDMENT

1 Joint Standing Committee on Health Coverage, Insurance and Financial Services no later
 2 than January 1, 2024. The committee may submit legislation related to the report to the
 3 Second Regular Session of the 131st Legislature.

4 **Sec. 3. Appropriations and allocations. Resolved:** That the following
 5 appropriations and allocations are made.

6 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**
 7 **Office of MaineCare Services 0129**

8 Initiative: Provides one-time funding for the department to contract with a 3rd party to
 9 undertake an examination of the current MaineCare reimbursement rate for electronic
 10 consultation services to determine whether the Medicare benchmark currently used to
 11 determine rates for these services is appropriate and to consider whether a different
 12 percentage should be used as a benchmark in establishing a revised rate for the services.

13	GENERAL FUND	2023-24	2024-25
14	All Other	\$66,050	\$0
15			
16	GENERAL FUND TOTAL	<u>\$66,050</u>	<u>\$0</u>
17			
18	FEDERAL EXPENDITURES FUND	2023-24	2024-25
19	All Other	\$66,050	\$0
20			
21	FEDERAL EXPENDITURES FUND TOTAL	<u>\$66,050</u>	<u>\$0</u>

22			
23	HEALTH AND HUMAN SERVICES,		
24	DEPARTMENT OF		
25	DEPARTMENT TOTALS	2023-24	2024-25
26			
27	GENERAL FUND	\$66,050	\$0
28	FEDERAL EXPENDITURES FUND	\$66,050	\$0
29			
30	DEPARTMENT TOTAL - ALL FUNDS	<u>\$132,100</u>	<u>\$0</u>

31 **PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF**
 32 **Insurance - Bureau of 0092**

33 Initiative: Provides one-time funding for the department to contract with a 3rd party to
 34 examine coverage of electronic consultation services by commercial health insurance
 35 carriers.

36	OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
37	All Other	\$13,500	\$0
38			
39	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$13,500</u>	<u>\$0</u>

40
 41 **PROFESSIONAL AND FINANCIAL**
 42 **REGULATION, DEPARTMENT OF**

