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An Act To Enact the Recommendations of the Task Force To Study Cervical Cancer Prevention, Detection and Education

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

PART A

Sec. A-1. 22 MRSA §3174-LL is enacted to read:

§ 3174-LL. Coverage for human papillomavirus vaccine

1. Coverage provided. Beginning January 1, 2008, the department shall provide coverage to MaineCare members for the human papillomavirus vaccine in accordance with the federal Department of Health and Human Services, Centers for Disease Control and Prevention recommended childhood and adolescent immunization schedule and recommended adult immunization schedule.

2. Rules. The department shall adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. A-2. Human papillomavirus vaccination; MaineCare reporting. The Department of Health and Human Services, Office of MaineCare Services shall provide information regarding the rate of human papillomavirus vaccination among MaineCare members to the Department of Health and Human Services, Maine Center for Disease Control and Prevention for inclusion in the initial and final evaluation reports required under Part D, section 3.

Sec. A-3. State funding for the human papillomavirus vaccine. Beginning with state fiscal year 2007-08, the Legislature shall provide funding to the Department of Health and Human Services, Maine Immunization Program to support the purchase and distribution of the human papillomavirus vaccine and associated program operation costs. The Legislature shall appropriate the funds necessary to provide the human papillomavirus vaccine to all girls in the State 11 and 12 years of age after utilizing all available federal funding and federally purchased vaccine.

Sec. A-4. Maine Immunization Program to report on program funding and vaccination rates. The Department of Health and Human Services, Maine Immunization Program shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters regarding the status of program funding and vaccination rates. The program shall submit an initial report to the committee no later than January 30, 2008 and a 2nd report no later than January 30, 2010. Each report must include:

1. Program budget information for the current year and previous 2 years, including specific information regarding expenditures on the human papillomavirus vaccine;

2. Documentation of any funding shortage that exists between available funds and the expenditures required to vaccinate 80% of Maine girls with the human papillomavirus vaccine and 80% of Maine children with the other vaccines on the federal Centers for Disease Control and Prevention recommended childhood and adolescent immunization schedule; and

3. State and national immunization rates for the human papillomavirus vaccine and the other vaccines on the federal Centers for Disease Control and Prevention recommended childhood and adolescent immunization schedule.

PART B

Sec. B-1. Statewide public education campaign regarding cervical cancer. The Department of Health and Human Services, Maine Breast and Cervical Health Program, referred to in this section as “the program,” shall develop and implement a statewide public education campaign regarding cervical cancer prevention and early detection, including the importance of cervical cancer screening and the availability of the human papillomavirus vaccine. In carrying out the campaign, the program shall:

1. Broadcast public service announcements, including information about cervical cancer prevention and early detection, for all 12 months of the year;

2. Distribute printed information materials regarding cervical cancer to all sites that receive program brochures and to additional locations statewide, including, but not limited to, libraries, shopping malls, grocery stores, hair salons and health care facilities. The program must also offer these informational materials to faith-based organizations;

3. Collaborate with the Department of Health and Human Services, Office of Minority Health to develop specific outreach initiatives for racial and ethnic minority populations in the State. Informational materials developed pursuant to subsection 2 must be translated into languages other than English, as appropriate; and

4. Consult with state and local organizations representing senior citizens and retired persons to develop specific outreach initiatives to reach women over 60 years of age.

The program shall report its progress and results in implementing this section to the Department of Health and Human Services, Maine Center for Disease Control and Prevention for inclusion in the initial and final evaluation reports required under Part D, section 3.

Sec. B-2. School-based cervical cancer education initiatives. The Department of Health and Human Services, Maine Center for Disease Control and Prevention, referred to in this section as “the center,” shall coordinate the development and implementation of school-based cervical cancer education initiatives in accordance with this section.

1. The center shall develop printed materials on cervical cancer prevention and early detection appropriate for students in grades 6 to 12 and college students to be posted at schools and universities. The center shall collaborate with the Department of Education and the University of Maine System to coordinate the distribution and posting of materials at public schools and universities. The center shall offer these materials to private schools and colleges.

2. The center shall develop an educational pamphlet regarding the human papillomavirus vaccine for students in the 5th grade. The center shall collaborate with health education staff within the Department of Education, school nurses and health coordinators to facilitate the distribution of the pamphlet in public schools. The center shall provide copies of the pamphlet to all pediatricians and family physicians licensed in the State and shall offer the pamphlet to private schools.

3. The center shall collaborate with health education staff of the Department of Education to develop a listing of medical professionals willing to speak about cervical cancer prevention in health education classes or other appropriate forums in public schools on a voluntary basis.

4. The center shall seek grant funding to implement an activity-based cervical cancer education initiative in schools. The center shall seek input from the Department of Education in developing its proposal and applying for grant funding.

The center shall report its progress and results in implementing this section in the initial and final evaluation reports required under Part D, section 3.

Sec. B-3. Continuing medical education regarding cervical cancer. The Department of Health and Human Services, Maine Center for Disease Control and Prevention shall collaborate with the Maine Medical Association's Committee on Continuing Medical Education and Accreditation to identify and implement strategies to expand continuing medical education opportunities regarding cervical cancer, including, but not limited to, current clinical guidelines for cervical cancer screening, human papillomavirus vaccines and emerging issues and technologies in cervical cancer prevention, detection and treatment. The Maine Center for Disease Control and Prevention shall encourage the Maine Medical Association to conduct outreach efforts to promote cervical cancer continuing education offerings to its members and inform them of the current status of the human papillomavirus vaccines, including availability, cost and insurance coverage. The Maine Center for Disease Control and Prevention shall report its progress and results in implementing this section in the initial and final evaluation reports required under Part D, section 3.

PART C

Sec. C-1. Medicaid waiver for family planning services. The Department of Health and Human Services, including representatives of the Office of MaineCare Services and the Maine Breast and Cervical Health Program, in consultation with the Family Planning Association of Maine, Inc., shall examine the potential costs and benefits of obtaining a state Medicaid family planning waiver to provide cervical cancer screening and related services to individuals who do not otherwise qualify for the state MaineCare program. The examination must include an assessment of the potential value of such a waiver to the State's efforts to promote cervical cancer prevention and early detection. No later than January 1, 2008, the department shall make a recommendation to the joint standing committee of the Legislature having jurisdiction over health and human services matters regarding whether the State should apply to the federal Department of Health and Human Services, Centers for Medicare and Medicaid Services for a waiver.

Sec. C-2. Maine Breast and Cervical Health Program eligibility expansion. The Department of Health and Human Services shall amend the rules for the Maine Breast and Cervical Health Program to grant eligibility for cervical cancer screening and related services to women 35 to 39 years of age who meet all other eligibility criteria for the program. The program shall report its experience under this rule change to the Department of Health and Human Services, Maine Center for Disease Control and Prevention for inclusion in the initial and final evaluation reports required under Part D, section 3.

Sec. C-3. Maine Breast and Cervical Health Program screening initiatives. The Department of Health and Human Services, Maine Breast and Cervical Health Program, referred to in this section as "the program," shall implement the following initiatives to increase and improve cervical cancer screening:

1. The program shall collaborate with the Family Planning Association of Maine, Inc. to develop ideas for outreach and coordination to increase cervical cancer screening among women who are ineligible for the program, particularly women under 35 years of age;

2. The program shall expand its special screening days. The expansion may include adding more sites, adding more screening days at current sites or a combination of these strategies, based on the program's assessed need and demand for services;

3. The program shall update its clinical guidelines for cervical cancer screening based on a review of the most recent clinical guidelines for cervical cancer screening published by the American Cancer Society, the American College of Obstetricians and Gynecologists and the United States Preventive Services Task Force. The program shall offer a professional education program on clinical guidelines for cervical cancer screening after it has completed the update; and

4. The program shall coordinate a stakeholder group, including representatives of the Department of Health and Human Services, Maine Comprehensive Cancer Control Program, the State Employee Health Commission, the American Cancer Society and health insurance carriers operating in the State, to explore options for encouraging insured individuals to make and attend medical appointments for cancer screening, including, but not limited to, cervical cancer screening.

The program shall report its progress and results in implementing this section to the Department of Health and Human Services, Maine Center for Disease Control and Prevention for inclusion in the initial and final evaluation reports required under Part D, section 3.

Sec. C-4. Maine Quality Forum review and report on health care system initiatives affecting the delivery of cervical cancer screening services. The Maine Quality Forum shall identify and assess current initiatives within the state health care system that may enhance the delivery of cervical cancer screening and follow-up medical care, including computer-based clinical improvement systems to track and manage patient care, provider incentives and health care quality and performance measures. The forum shall report its findings and any recommendations to the Department of Health and Human Services, Maine Center for Disease Control and Prevention for inclusion in the initial evaluation report required under Part D, section 3.

PART D

Sec. D-1. Cervical cancer incidence and prevention in racial and ethnic minority populations. The Department of Health and Human Services, Office of Minority Health shall, in collaboration with the Department of Health and Human Services, Maine Cancer Registry, the Department of Health and Human Services, Office of Multicultural Affairs and the Department of Health and Human Services, Maine Comprehensive Cancer Control Program, examine cervical cancer incidence in racial and ethnic minority populations in the State and develop recommendations to improve cervical cancer prevention and early detection in these populations. The examination must include an assessment of:

1. Available data on cervical cancer incidence among racial and ethnic minorities;
 2. Barriers to cervical cancer screening and treatment across different racial and ethnic minorities;
- and
3. Best practices in public health education and outreach to racial and ethnic minorities.

The Department of Health and Human Services, Office of Minority Health shall report its findings and recommendations to the Department of Health and Human Services, Maine Center for Disease Control and Prevention for inclusion in the initial evaluation report required under section 3.

Sec. D-2. Geographic variations in cervical cancer rates. The Department of Health and Human Services, Maine Cancer Registry shall, in collaboration with the Department of Health and Human Services, Maine Breast and Cervical Health Program, examine geographic variation in cervical cancer rates within the State, and in particular the higher rates of cervical cancer observed in Washington County and Somerset County, and shall explore reasons for the variation. The Department of Health and Human Services, Maine Cancer Registry and the Department of Health and Human Services, Maine Breast and Cervical Health Program shall consult with the American Cancer Society, community organizations and health care providers to develop recommendations for reducing the incidence of cervical cancer in Washington County and Somerset County. The Department of Health and Human Services, Maine Cancer Registry shall report its findings and recommendations to the Department of Health and Human Services, Maine Center for Disease Control and Prevention for inclusion in the initial evaluation report required under section 3.

Sec. D-3. Evaluation of cervical cancer prevention, detection and education initiatives. The Department of Health and Human Services, Maine Center for Disease Control and Prevention shall monitor and evaluate the State's progress in cervical cancer prevention, detection and education in response to the work of the Legislature's Task Force to Study Cervical Cancer Prevention, Detection and Education. The center shall submit 2 evaluation reports to the joint standing committee of the Legislature having jurisdiction over health and human services matters. The reports must address the progress, status and outcomes of each recommendation contained in the final report of the task force, including, but not limited to, each initiative required under this Act. The initial evaluation report must be submitted no later than January 30, 2009, and the final evaluation report must be submitted no later than January 30, 2011. After review of the initial report, the joint standing committee of the Legislature having jurisdiction over health and human services matters may report out legislation regarding cervical cancer prevention, detection and education to the First Regular Session of the 124th Legislature. After

review of the final report, the joint standing committee of the Legislature having jurisdiction over health and human services matters may report out legislation regarding cervical cancer prevention, detection and education to the First Regular Session of the 125th Legislature.

SUMMARY

This bill implements the recommendations of the Task Force to Study Cervical Cancer Prevention, Detection and Education.

Part A of the bill relates to the human papillomavirus vaccine. It specifically does the following.

1. It requires the Department of Health and Human Services to provide coverage for the vaccine under the MaineCare program.

2. It requires the Legislature to provide funding to the Department of Health and Human Services, Maine Immunization Program for purchasing and distributing the human papillomavirus vaccine to all girls 11 and 12 years of age.

3. It requires the Maine Immunization Program to report to the joint standing committee of the Legislature having jurisdiction over health and human services matters on the status of program funding and vaccination rates, including specific information on the human papillomavirus vaccine, by January 30, 2008 and again by January 30, 2010.

Part B of the bill relates to improving public awareness and education regarding cervical cancer prevention. It specifically does the following.

1. It requires the Department of Health and Human Services, Maine Breast and Cervical Health Program to develop public education materials regarding cervical cancer prevention and the human papillomavirus vaccine to be distributed to sites that receive the program's materials, as well as other locations such as libraries, malls and health care facilities. It requires the materials to be translated into languages other than English when necessary.

2. It requires the Department of Health and Human Services, Maine Center for Disease Control and Prevention to coordinate with the Department of Education and the University of Maine System to develop educational materials for schools and universities. In addition, it requires the center to develop an educational pamphlet for 5th grade students and a voluntary speakers group for health education and other classes.

3. It requires the Maine Center for Disease Control and Prevention to collaborate with the Maine Medical Association to develop and expand continuing medical education opportunities related to cervical cancer, including appropriate screening guidelines and vaccination materials.

Part C of the bill relates to expanding cervical cancer screening opportunities. It specifically requires the following.

1. It requires the Department of Health and Human Services, including representatives of the Office of MaineCare Services and the Maine Breast and Cervical Health Program, to consult with the Family Planning Association of Maine, Inc., to determine the potential costs and benefits of obtaining a federal

Medicaid family planning waiver to provide cervical cancer screening and related services to individuals that do not currently qualify for MaineCare.

2. It requires the Department of Health and Human Services to expand eligibility for the Maine Breast and Cervical Health Program to include women 35 to 39 years of age who meet all other eligibility criteria for the program.

3. It requires the Maine Breast and Cervical Health Program to coordinate with the Family Planning Association of Maine, Inc., to increase cervical cancer screening among women under 35 years of age, expand screening days to new sites or additional days, update screening guidelines and work with the Department of Health and Human Services, Maine Comprehensive Cancer Control Program, the State Employee Health Commission, the American Cancer Society and health insurance carriers to explore options for encouraging people to attend cancer screenings.

4. It requires the Maine Quality Forum to identify and assess current initiatives within the state health care system that may enhance delivery of cervical cancer screening and follow-up care.

Part D relates to future research and evaluation of cervical cancer and prevention efforts. It specifically does the following.

1. It requires the Department of Health and Human Services, Office of Minority Health to collaborate with the Department of Health and Human Services, Maine Cancer Registry, the Department of Health and Human Services, Office of Multicultural Affairs and the Department of Health and Human Services, Maine Comprehensive Cancer Control Program to examine cervical cancer incidence in racial and ethnic minorities in the State and study barriers to screening and treatment and best practices for overcoming those barriers.

2. It requires the Department of Health and Human Services, Maine Cancer Registry to collaborate with the Department of Health and Human Services, Maine Breast and Cervical Health Program to examine the higher incidence of cervical cancer in Washington County and Somerset County to determine reasons for the variation and develop recommendations for reducing cervical cancer in those counties.

3. It requires the Department of Health and Human Services, Maine Center for Disease Control and Prevention to monitor and evaluate state progress in implementing the task force's recommendations and report to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 30, 2009 and again by January 30, 2011.