

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND NINETEEN

H.P. 1289 - L.D. 1809

**Resolve, To Increase Funding for Evidence-based Therapies for Treating Emotional and Behavioral Problems in Children**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas**, this legislation needs to take effect before the expiration of the 90-day period because MaineCare reimbursement rates for evidence-based therapies for treating emotional and behavioral problems in children have not been adjusted in more than 8 years and are insufficient to enable some providers to continue to provide services; and

**Whereas**, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

**Sec. 1. Department of Health and Human Services to increase MaineCare reimbursement for outpatient psychosocial treatments for children. Resolved:** That the Department of Health and Human Services shall increase reimbursement rates under rule Chapter 101: MaineCare Benefits Manual, Chapters II and III, Section 65 for multisystemic therapy, multisystemic therapy for problem sexualized behavior and functional family therapy by 20% for the period from the effective date of this resolve to June 30, 2020.

**Sec. 2. Rate study. Resolved:** That the Department of Health and Human Services shall contract with a 3rd party to conduct a rate study of reimbursement rates under rule Chapter 101: MaineCare Benefits Manual, Chapters II and III, Section 65 for multisystemic therapy, multisystemic therapy for problem sexualized behavior and functional family therapy. The rate study must develop a rate that is set on a per case per week basis. The rate study must also take into account the costs to providers of delivering the services, including additional training, and maintenance of fidelity to the treatment models. The rate study must be completed no later than December 1, 2019.

**Sec. 3. Report. Resolved:** That the Department of Health and Human Services shall submit a report to the Joint Standing Committee on Health and Human Services with the findings of the rate study conducted pursuant to section 2 no later than January 30, 2020.

**Sec. 4. Rulemaking. Resolved:** That the Department of Health and Human Services is authorized to adopt rules to implement new rates developed pursuant to the rate study in section 2 as long as those rates are no lower than the rates of reimbursement that exist on April 1, 2019 and the federal Department of Health and Human Services, Centers for Medicare and Medicaid Services approves the reimbursement rates. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.