

# MAINE STATE LEGISLATURE

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**ROS**

L.D. 1867

DATE: 4-12-04

(Filing No. H-882)

**HEALTH AND HUMAN SERVICES**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
121ST LEGISLATURE  
SECOND SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1391, L.D. 1867, "Resolve, Regarding Legislative Review of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97, Private Non-medical Institution Services, a Major Substantive Rule of the Department of Human Services"

Amend the resolve in section 1 in the last line (page 1, line 28 in L.D.) by striking out the following: "authorized." and inserting in its place the following: 'authorized provided the following changes are made in Section 97.

1. The principles of reimbursement in Section 97 must be changed to eliminate reduced reimbursement for private nonmedical institutions that use a calculation of bed-hold days for medical and remedial private nonmedical institution residents. In place of bed-hold days and in order to produce the same amount of savings for the MaineCare program, the principles of reimbursement for room and board in Section 115 must provide for a general rate reduction of 25 cents per resident per day in the facility-specific routine component of the room-and-board portion of payment.

2. The principles of reimbursement must be changed in the wording used to refer to reimbursement related to foreign exchange fellows of professional exchange programs for social workers in private nonmedical institution settings: the word "stipend" in the rule and appendices must be changed to "contract fee."

In order to accomplish the rule changes required by this resolve, the Department of Human Services shall adopt emergency rules to implement this resolve; and be it further'

**COMMITTEE AMENDMENT**

Further amend the resolve by inserting after section 1 the following:

'Sec. 2. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

HUMAN SERVICES, DEPARTMENT OF

Medical Care - Payments to Providers 0147

Initiative: Allocates funds to restore a Federal Expenditures Fund deallocation as a result of replacing a Public Law 2003, chapter 20, Part B, MaineCare private nonmedical institution (PNMI) payment reduction with a state-only room-and-board payment reduction.

Federal Expenditures Fund	2003-04	2004-05
All Other	\$97,319	\$388,408
Federal Expenditures Fund Total	\$97,319	\$388,408'

SUMMARY

This amendment approves the major substantive rules submitted regarding MaineCare rates for private nonmedical institutions provided those rules are amended to use a 25-cent per resident per day rate reduction in the facility-specific routine component of the room-and-board portion of the payment in place of the reduced reimbursement, based on application of a bed-hold day decrease, that had been proposed. The amendment requires wording used to refer to reimbursement related to foreign exchange fellows of professional exchange programs for social workers to be changed: "stipend" must be changed to "contract fee."

The amendment requires the Department of Human Services to adopt emergency rules to implement the rules as approved by the Legislature.

FISCAL NOTE REQUIRED  
(See attached)

**121st Maine Legislature  
Office of Fiscal and Program Review**



**LD 1867**

**Resolve, Regarding Legislative Review of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97, Private Non-medical Institution Services a Major Substantive Rule of the Department of Human Services**

**LR 2803(04)**

**Fiscal Note for Bill as Amended by Committee Amendment " "**

**Committee: Health and Human Services**

**Fiscal Note Required: Yes**

**Fiscal Note**

	<b>2003-04</b>	<b>2004-05</b>	<b>Projections 2005-06</b>	<b>Projections 2006-07</b>
<b>Appropriations/Allocations</b>				
Federal Expenditures Fund	\$97,319	\$388,408	\$417,678	\$451,093
<b>Revenue</b>				
Federal Expenditures Fund	\$97,319	\$388,408	\$417,678	\$451,093

**Fiscal Detail and Notes**

The amendment revises the original bill\rulemaking to replace the implementation of a rate reduction for medical and remedial PNMI bed-hold days (as included in PL 2003, c. 20, Pt. B), with a \$0.25 per resident per day reduction in room and board payments. Assuming the bed-hold day provision remains in effect until the \$0.25 per resident per day reduction in room and board payments becomes effective, there would be no net impact on the General Fund. There would be an increase in Federal Expenditure Funds allocations and revenue because the c. 20 reduction in MaineCare spending would be replaced with a reduction in state-only spending.