

MAINE STATE LEGISLATURE

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M
R. of S.

L.D. 1919

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DATE: 4-16-04

(Filing No. S-536)

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STATE OF MAINE
SENATE
121ST LEGISLATURE
SECOND SPECIAL SESSION

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SENATE AMENDMENT "N" to COMMITTEE AMENDMENT "A" to H.P. 1420, L.D. 1919, Bill, "An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2004 and June 30, 2005"

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Amend the amendment by inserting at the end before the emergency clause the following:

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PART FFFF

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Sec. FFFF-1. 22 MRSA §3174-G, sub-§1, ¶F, as enacted by PL 2001, c. 450, Pt. A, §2, is amended to read:

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F. A person 20 to 64 years of age who is not otherwise covered under paragraphs A to E when the person's family income is below or equal to 100% of the nonfarm income official poverty line, provided that the commissioner shall adjust the maximum eligibility level in accordance with the requirements of the paragraph.

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~~(1)---If,--on--October--1,--2003--and--annually--thereafter, expenditures--for--the--population--described--in--this paragraph--are--reasonably--anticipated--to--fall--below--the program--budget,--the--commissioner--shall--raise--the maximum--eligibility--level--to--the--extent--necessary--to provide--coverage--to--as--many--persens--with--income--below 125%--of--the--nonfarm--income--efficial--poverty--line--as possible--within--the--fiscal--constraints--of--the--Maine Health--Acess--Fund--described--in--sectien--260.~~

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SENATE AMENDMENT

P. of S.

2 (1-A) There is created the MaineCare noncategorical
3 adults waiver account to act as the sole source of
4 state funding for persons enrolled in MaineCare under
5 this paragraph.

6
7 (2) If the maximum eligibility level is raised above
8 100% of the poverty level pursuant to this paragraph
9 and subsequently the commissioner reasonably
10 anticipates the cost of the program to exceed the
11 budget of the population described in this paragraph,
12 the commissioner shall lower the maximum eligibility
13 level to the extent necessary to provide coverage to as
14 many persons as possible within the program budget.

15 (3) The commissioner shall give at least 30 days'
16 notice of the proposed change in maximum eligibility
17 level to the joint standing committee of the
18 Legislature having jurisdiction over appropriations and
19 financial affairs and the joint standing committee of
20 the Legislature having jurisdiction over health and
21 human services matters.

22
23 ~~(4)---The--department--must--begin--offering--coverage--3~~
24 ~~months--after--obtaining--approval--of--a--waiver--of--coverage~~
25 ~~from--the--United--States--Department--of--Health--and--Human~~
26 ~~Services--or--on--October--1,--2002,--whichever--is--later.~~

27 (5) Coverage under this paragraph is limited to 20,000
28 persons at any time. When enrollment reaches 20,000
29 persons, the commissioner shall discontinue enrollment
30 of eligible persons until enrollment decreases to a
31 level that makes reopening enrollment feasible.

32
33 **Sec. FFFF-2. Working group of pharmacists.** The Commissioner
34 of Human Services shall convene a working group of pharmacists or
35 their designees for the purpose of exploring ways to achieve
36 additional cost savings in all pharmacy-related programs
37 administered by the Department of Human Services. The working
38 group consists of the following 5 members: a representative of
39 the Maine Pharmacists Association; a representative of the Maine
40 Merchants Association; a representative of the Pharmacy Group of
41 New England; a representative of the National Association of
42 Chain Drug Stores and one other member appointed by the
43 Commissioner of Human Services. The commissioner shall report
44 the findings and recommendations of the working group to the
45 Joint Standing Committee on Human Services not later than October
46 1, 2004.
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SENATE AMENDMENT

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SENATE AMENDMENT "N" to COMMITTEE AMENDMENT "A" to H.P. 1420, L.D. 1919

2 **Sec. FFFF-3. Appropriations and allocations.** The following appropriations and allocations are made.

4 **HUMAN SERVICES, DEPARTMENT OF**

6 **Medical Care - Payments to Providers 0147**

8 Initiative: Provides for the deappropriation of funds to reflect the transfer of funding responsibility for the MaineCare noncategorical adult waiver to a new stand-alone waiver account.

12	General Fund	2003-04	2004-05
14	All Other	\$0	(\$36,864,000)
16	General Fund Total	<hr/>	<hr/>
		\$0	(\$36,864,000)
18	Federal Expenditures Fund	2003-04	2004-05
20	All Other	\$0	(\$68,975,793)
22	Federal Expenditures Fund Total	<hr/>	<hr/>
		\$0	(\$68,975,793)

24 **MaineCare Noncategorical Adults Waiver (New)**

26 Initiative: Provides for the appropriation of funds for a new MaineCare noncategorical adult waiver program account to help enforce the statutory requirement to limit the waiver program to budgeted levels.

30	General Fund	2003-04	2004-05
32	All Other	\$0	\$27,864,000
34	General Fund Total	<hr/>	<hr/>
		\$0	\$27,864,000
36	Federal Expenditures Fund	2003-04	2004-05
38	All Other	\$0	\$52,136,000
	Federal Expenditures Fund Total	<hr/>	<hr/>
		\$0	\$52,136,000

40 **Medical Care - Payments to Providers 0147**

42 Initiative: Appropriates funds to restore the deappropriation and deallocation in Part FFF resulting from initiating a voluntary pharmacy mail order program for MaineCare and the low-cost drugs for the elderly programs. The Department of Human Services is not authorized to implement any form of a pharmacy mail order program for these programs.

SENATE AMENDMENT "N" to COMMITTEE AMENDMENT "A" to H.P. 1420,
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2	General Fund	2003-04	2004-05
	All Other	\$0	\$5,000,000
4	General Fund Total	<hr/>	<hr/>
		\$0	\$5,000,000
6	Federal Expenditures Fund	2003-04	2004-05
	All Other	\$0	\$9,355,441
8	Federal Expenditures Fund Total	<hr/>	<hr/>
		\$0	\$9,355,441
10	HUMAN SERVICES, DEPARTMENT OF		
12	DEPARTMENT TOTALS	2003-04	2004-05
14	GENERAL FUND	\$0	(\$4,000,000)
	FEDERAL EXPENDITURES FUND	0	(7,484,353)
16	DEPARTMENT TOTAL - ALL FUNDS	<hr/>	<hr/>
		\$0	(\$11,484,353)
18	BEHAVIORAL AND DEVELOPMENTAL		
20	SERVICES, DEPARTMENT OF		
22	Mental Health Services - Community 0121		
24	Initiative: Appropriates funds for peer support services.		
26	General Fund	2003-04	2004-05
	All Other	\$0	\$200,000
28	General Fund Total	<hr/>	<hr/>
		\$0	\$200,000
30	Mental Health Services - Community 0121		
32	Initiative: Appropriates funds to maintain funding for social		
34	clubs at the fiscal year 2003-04 level.		
36	General Fund	2003-04	2004-05
	All Other	\$0	\$200,000
38	General Fund Total	<hr/>	<hr/>
		\$0	\$200,000
40	Mental Health Services - Community 0121		
42	Initiative: Appropriates funds for housing assistance to persons		
44	with mental illness.		
46	General Fund	2003-04	2004-05
	All Other	\$0	\$1,600,000
48	General Fund Total	<hr/>	<hr/>
		\$0	\$1,600,000

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SENATE AMENDMENT "N" to COMMITTEE AMENDMENT "A" to H.P. 1420,
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2	BEHAVIORAL AND DEVELOPMENTAL		
	SERVICES, DEPARTMENT OF		
4	DEPARTMENT TOTALS	2003-04	2004-05
6	GENERAL FUND	\$0	\$2,000,000
8	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$2,000,000

10 **BAXTER COMPENSATION AUTHORITY**

12 **Baxter Compensation Authority**

14 Initiative: Appropriates funds to disperse to those former
16 students who are found to have suffered physical or sexual abuse
18 while they were students at and under the care of the Governor
Baxter School for the Deaf or the Maine School for the Deaf.

18	General Fund	2003-04	2004-05
20	All Other	\$0	\$2,000,000
22	General Fund Total	\$0	\$2,000,000

24 **BAXTER COMPENSATION AUTHORITY**

24	DEPARTMENT TOTALS	2003-04	2004-05
26	GENERAL FUND	\$0	\$2,000,000
28	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$2,000,000

30	SECTION TOTALS	2003-04	2004-05
32	GENERAL FUND	\$0	\$0
34	FEDERAL EXPENDITURES FUND	0	(7,484,353)
36	SECTION TOTAL - ALL FUNDS	\$0	(\$7,484,353)

38 Further amend the bill by relettering or renumbering any
40 nonconsecutive Part letter or section number to read
consecutively.

42 **SUMMARY**

44 This amendment creates the MaineCare noncategorical adult
46 waiver account to act as the sole source of state funding for
adults eligible for MaineCare under the noncategorical waiver.
48 The amendment caps enrollment in the noncategorical MaineCare

SENATE AMENDMENT

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SENATE AMENDMENT "N" to COMMITTEE AMENDMENT "A" to H.P. 1420,
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2 coverage category at 20,000 persons at any one time. The
amendment directs the Commissioner of Human Services to convene a
4 working group to explore ways to achieve cost savings in all
pharmacy-related programs administered by the Department of Human
Services.

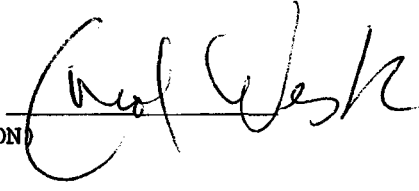
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FISCAL NOTE REQUIRED
(See attached)

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SPONSORED BY: 
(Senator WESTON)

14

COUNTY: Waldo

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

**LD 1919**

An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2004 and June 30, 2005

LR 2833(08)**Fiscal Note for Senate Amendment 'W' to Committee Amendment "A"****Sponsor: Sen. Weston****Fiscal Note Required: Yes****Fiscal Note**

	2003-04	2004-05
Net Cost (Savings)		
General Fund	\$0	\$0
Appropriations/Allocations		
General Fund	\$0	\$0
Federal Expenditures Fund		(\$7,484,353)
Revenue		
Federal Expenditures Fund		(\$7,484,353)

Fiscal Detail and Notes

This amendment will have no net effect on General Fund appropriations and revenue and a balanced budget is maintained for the 2004-2005 biennium.