



122nd MAINE LEGISLATURE

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Legislative Document

No. 60

H.P. 56

House of Representatives, January 11, 2005

Resolve, To Require the Department of Health and Human Services To Adopt Rules Regarding Accrual of Cost Savings

(EMERGENCY)

Reference to the Committee on Health and Human Services suggested and ordered printed.

Millicent M. Mac Jarland MILLICENT M. MacFARLAND

Clerk

Presented by Representative CROSTHWAITE of Ellsworth. Cosponsored by Senator DAMON of Hancock and Representatives: CRAVEN of Lewiston, GROSE of Woolwich, ROSEN of Bucksport, WALCOTT of Lewiston.

- **Emergency preamble. Whereas.** acts and resolves of the 2 Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and
- Whereas, immediate relief from regulatory burdens is 6 necessary; and
- 8 Whereas. in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of 10 Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and 12 safety; now, therefore, be it
- Sec. 1. Rulemaking. Resolved: 14 That by July 1, 2005, the Department of Health and Human Services, Office of Management and Budget, Division of Audit shall adopt rules to allow 50% of 16 audited cost savings to accrue to the agency demonstrating the 18 ability to generate such cost savings in its operations. The division shall notify the Joint Standing Committee on Health and 20 Human Services of any rule that is proposed pursuant to this resolve. Rules adopted pursuant to this resolve are major 22 substantive rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A. 24
- **Emergency clause.** In view of the emergency cited in the preamble, this resolve takes effect when approved.
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SUMMARY

This resolve requires the Department of Health and Human Services, Office of Management and Budget, Division of Audit to provide a part of any cost savings created by a provider of intermediate care facilities for mental retardation nursing services to the agency demonstrating the ability to generate such cost savings to its operations.