

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 76

H.P. 72

House of Representatives, January 11, 2005

**Resolve, To Require the Department of Health and Human Services
To Amend Rules Regarding Payment for Goods and Services**

(EMERGENCY)

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative CROSTHWAITE of Ellsworth.
Cosponsored by Senator SNOWE-MELLO of Androscoggin and
Representatives: CRAVEN of Lewiston, CURLEY of Scarborough, GROSE of Woolwich,
MARRACHÉ of Waterville, ROSEN of Bucksport, SHIELDS of Auburn, WALCOTT of
Lewiston.

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

4 **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

14 **Sec. 1. Amend rules. Resolved:** That, by July 1, 2005, the
Department of Health and Human Services, Bureau of Medical
16 Services, Division of Audit shall amend the rules regarding
payment for goods and services to include payment for all goods
and services as defined by the federal interpretive guidelines in
18 the Code of Federal Regulations, Centers for Medicare and
Medicaid Services, State Operations Manual, Appendix J. The
20 division shall notify the Joint Standing Committee of Health and
Human Services of any rule that is amended pursuant to the
22 resolve. The rules to be amended are major substantive rules, as
defined in the Maine Revised Statutes, Title 5, chapter 375,
24 subchapter 2-A.

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

30 **SUMMARY**

32 This resolve requires the Department of Health and Human
Services, Bureau of Medical Services, Division of Audit to amend
34 rules in order to fund all goods and services required by
licensing and certification survey citations as conducted by
36 state or federal surveyors under Medicaid and MaineCare rules.