

MAINE STATE LEGISLATURE

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No. 975

H.P. 735

House of Representatives, March 2, 2007

**Resolve, To Provide Reimbursement for Residential Care Facilities
for Rising Heating Costs and Cost-of-living Adjustments**

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative PERRY of Calais.
Cosponsored by Representatives: CLARK of Millinocket, CONNOR of Kennebunk,
DRISCOLL of Westbrook, GROSE of Woolwich, MILLER of Somerville, PEOPLES of
Westbrook, TUTTLE of Sanford.

1 **Sec. 1. Rules regarding actual heating costs. Resolved:** That, by October 1,
2 2007, the Department of Health and Human Services shall amend the principles of
3 reimbursement for residential care facilities to require proper recognition of and
4 reimbursement for each facility's actual heating costs. The rules must provide that
5 facility heating costs be fully reimbursed as fixed costs, not subject to cost caps or other
6 types of limitations. The rules must provide reimbursement under the new method for all
7 facility fiscal years ending after July 1, 2007. The rules must apply to all private non-
8 medical institutions that are reimbursed for room and board costs under the following: (1)
9 the sections of the Principles of Reimbursement for Residential Care Facilities - Room
10 and Board Costs (10-144 Chapter 115); and (2) the rules entitled Private Non-medical
11 Institutional Services, Appendix C, "Principles of Reimbursement for Medical and
12 Remedial Service Facilities" and Appendix F, "Principles of Reimbursement for Non-
13 case Mixed Medical and Remedial Facilities" (10-144 Chapter 101, Chapter III, Section
14 97). Rules adopted pursuant to this section are major substantive rules as defined by the
15 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A; and be it further

16 **Sec. 2. Rules regarding cost-of-living adjustments for certain medical and**
17 **remedial private non-medical institutions. Resolved:** That, by October 1, 2007,
18 the Department of Health and Human Services shall amend the principles of
19 reimbursement for residential care facilities to provide cost-of-living adjustments for state
20 fiscal years 2007-08 and 2008-09. The rules must apply to all private non-medical
21 institutions that are reimbursed for room and board costs under the following: (1) the
22 sections of the Principles of Reimbursement for Residential Care Facilities - Room and
23 Board Costs (10-144 Chapter 115); and (2) the rules entitled Private Non-medical
24 Institution Services, Appendix C, "Principles of Reimbursement for Medical and
25 Remedial Service Facilities" and Appendix F, "Principles of Reimbursement for Non-
26 case Mixed Medical and Remedial Facilities" (10-144 Chapter 101, Chapter III, Section
27 97). Rules adopted pursuant to this section are major substantive rules as defined by the
28 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

29

SUMMARY

30 This resolve directs the Department of Health and Human Services to amend the rules
31 for reimbursing certain private non-medical institutions to provide for full reimbursement
32 of heating costs in facilities and to provide cost-of-living adjustments in state fiscal years
33 2007-08 and 2008-09. The rules are designated major substantive rules.