# MAINE STATE LEGISLATURE

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1 2 Date: 5/23/13 (Filing No. H-236)

3	HEALTH AND HUMAN SERVICES
4	Reproduced and distributed under the direction of the Clerk of the House.
5	STATE OF MAINE
6	HOUSE OF REPRESENTATIVES
7	126TH LEGISLATURE
8	FIRST REGULAR SESSION
9 10 11	COMMITTEE AMENDMENT "A" to H.P. 429, L.D. 610, "Resolve, To Amend the Rule Regarding Certain Mandatory Charity Care Policies To Be Consistent with MaineCare and the Federal Patient Protection and Affordable Care Act"
12	Amend the resolve by striking out the title and substituting the following:
13 14	'Resolve, To Review and Amend the Rules Regarding Hospital Charity Care Guidelines'
15 16	Amend the resolve by striking out everything after the title and before the summary and inserting the following:
17 18 19 20	'Sec. 1. Review. Resolved: That the Department of Health and Human Services, referred to in this resolve as "the department," shall convene a working group to review the rules of the department regarding hospital charity care guidelines pursuant to the Maine Revised Statutes, Title 22, section 1716 and Chapter 150 of the department's rules.
21 22 23 24 25 26 27	1. The working group must include representatives of hospitals, consumers of health care services and other interested persons. The working group shall examine the possible use of an asset test similar to the asset test in use in the MaineCare program on January 1, 2013 or an asset test determined to be appropriate by the group. The working group shall also consider and propose to the department amendments to the income eligibility levels for charity care based upon eligibility for federal premium tax credits to purchase insurance through exchanges under the federal Patient Protection and Affordable Care

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Act of 2010, Public Law 111-148, as amended by the federal Health Care and Education

Reconciliation Act of 2010, Public Law 111-152. The working group recommendations

must include provisions to protect those for whom the insurance is not affordable and

those who have other good cause for not purchasing insurance through exchanges and such other circumstances as the group members consider to be relevant and appropriate

for hospitals and residents in the State. If the working group determines that adoption of

state law regarding an asset test is necessary, the department shall propose to the

Legislature appropriate statutory language.

## **COMMITTEE AMENDMENT**

- The department shall provide 2 reports on the work of the working group to the joint standing committee of the Legislature having jurisdiction over health and human services matters. A progress report must be submitted by April 1, 2014 and a final report by February 1, 2015.
   Following consultation with the working group and based upon the recommendations of the working group and prior to February 1, 2015, the department shall provisionally adopt rules to amend Chapter 150 regarding hospital charity care guidelines. Any rules proposed for adoption under this section are designated as major substantive rules as defined in the Maine Revised Statutes, Title 5, chapter 375,
  - 4. It is the intention of the Legislature that prior to the adoption of any hospital charity care guideline rules adopted as a result of the process required by this section, the hospital charity care guideline rules in effect on January 1, 2013 remain in effect.'

14 SUMMARY

subchapter 2-A.

This amendment replaces the resolve. The amendment requires the Department of Health and Human Services to convene a working group and provisionally adopt rules to amend the hospital charity care guidelines by February 1, 2015. The amendment directs the working group to examine the use of an asset test. The amendment requires reports to the joint standing committee of the Legislature having jurisdiction over health and human services matters by April 1, 2014 and February 1, 2015. The amendment states the intention of the Legislature that the charity care rules in effect on January 1, 2013 remain in effect until any proposed major substantive rules come into effect.

#### FISCAL NOTE REQUIRED

(See attached)

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## **COMMITTEE AMENDMENT**



### 126th MAINE LEGISLATURE

LD 610

LR 1404(02)

Resolve, To Amend the Rule Regarding Certain Mandatory Charity Care Policies To Be Consistent with MaineCare and the Federal Patient Protection and Affordable Care Act

Fiscal Note for Bill as Amended by Committee Amendment 'A' (H-236)
Committee: Health and Human Services
Fiscal Note Required: Yes

### **Fiscal Note**

Minor cost increase - General Fund

### Fiscal Detail and Notes

Additional costs to the Department of Health and Human Services are expected to be minor and can be absorbed within existing budgeted resources.