## MAINE STATE LEGISLATURE

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## 126th MAINE LEGISLATURE

## **FIRST REGULAR SESSION-2013**

**Legislative Document** 

No. 847

H.P. 598

House of Representatives, March 5, 2013

Resolve, To Address Changes Needed for Providers of Private Nonmedical Institution Services

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

Millient M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative FARNSWORTH of Portland.
Cosponsored by Senator LACHOWICZ of Kennebec and
Representatives: BROOKS of Winterport, DORNEY of Norridgewock, GIDEON of Freeport,
PRINGLE of Windham, SANBORN of Gorham, STUCKEY of Portland.

**Preamble. Whereas,** the Department of Health and Human Services has informed providers of private nonmedical institution services under the MaineCare Benefits Manual, Chapter II, Section 97 that the services must be changed due to requirements of the federal Centers for Medicare and Medicaid Services; and

Whereas, the Department of Health and Human Services has been meeting with stakeholder groups for over a year; and

Whereas, there currently exists a reasonable alternative to private nonmedical institution services for individuals with intellectual disabilities; now, therefore, be it

- **Sec. 1. Conversion of private nonmedical institution services beds. Resolved:** That the Department of Health and Human Services shall take all necessary actions to convert private nonmedical institution services beds for adults with intellectual disabilities currently funded under MaineCare Benefits Manual, Chapter II, Section 97, Appendix F to new waiver beds for adults with intellectual disabilities, pursuant to MaineCare Benefits Manual, Chapter II, Section 21, Home and Community Benefits for Members with Intellectual Disabilities or Autistic Disorder; and be it further
- **Sec. 2. Transition plan. Resolved:** That, by January 1, 2014, the Department of Health and Human Services shall complete a transition plan for the conversion of private nonmedical institution services beds to waiver beds required under section 1 and submit the plan to the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Appropriations and Financial Affairs; and be it further
- **Sec. 3. Conversion completion and report. Resolved:** That the Department of Health and Human Services shall complete the conversion required under section 1 by July 1, 2014. Upon completion of the conversion, the department shall submit a full report of the conversion to the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Appropriations and Financial Affairs; and be it further
- **Sec. 4. Appropriations. Resolved:** That the conversion required under section 1 must be accomplished within existing resources appropriated for private nonmedical institution services under MaineCare Benefits Manual, Chapter II, Section 97, Appendix F.

31 SUMMARY

In response to requirements of the federal Centers for Medicare and Medicaid Services, this resolve directs the Department of Health and Human Services to take all necessary actions to convert private nonmedical institution services beds for adults with intellectual disabilities to home and community-based waiver beds for adults with intellectual disabilities. The resolve directs the department to complete a plan for the conversion and submit the plan to the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Appropriations and Financial Affairs by January 1, 2014. The resolve directs the department to complete the conversion by July 1,

2014 and to submit a full report to the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Appropriations and Financial Affairs upon completion of the conversion. The resolve states that the conversion must be accomplished within existing resources appropriated for private nonmedical institution services.