

MAINE STATE LEGISLATURE

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SMC
ROFS

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L.D. 886

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Date: 4/6/16

(Filing No. H-645)

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HEALTH AND HUMAN SERVICES

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STATE OF MAINE

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HOUSE OF REPRESENTATIVES

7

127TH LEGISLATURE

8

SECOND REGULAR SESSION

9

COMMITTEE AMENDMENT "A" to H.P. 605, L.D. 886, "Resolve, Directing the Department of Health and Human Services To Increase Reimbursement Rates for Home-based and Community-based Services"

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Amend the resolve by striking out everything after the title and before the summary and inserting the following:

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Sec. 1. Reimbursement for personal care and related services. Resolved:

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That the Department of Health and Human Services shall amend its rules for reimbursement rates for personal care and related services provided under Chapter 101: MaineCare Benefits Manual, Sections 12, 19 and 96 and Chapter 5, Office of Elder Services Policy Manual, Section 63 to reflect the final rates modeled in the February 1, 2016 report "Rate Review for Personal Care and Related Services: Final Rate Models" prepared for the department by Burns & Associates, Inc. Rules adopted pursuant to this section are routine technical rules pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A; and be it further

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Sec. 2. Reimbursement for home health services. Resolved:

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That the Department of Health and Human Services shall amend its rules to increase the reimbursement rates for home health services provided under the provisions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 40 by 33%. Rules adopted pursuant to this section are major substantive rules pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A; and be it further

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Sec. 3. Unstaffed hours and waiting lists. Resolved:

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That the Department of Health and Human Services shall estimate the number of hours, and the cost of those hours, of unmet need under Chapter 101: MaineCare Benefits Manual, Sections 12, 19, 40 and 96 and Chapter 5, Office of Elder Services Policy Manual, Section 63. The estimate must include individuals eligible for services but on a waiting list and individuals who are entitled to services that are eligible for reimbursement but are unable to locate individuals or agencies to provide those services; and be it further

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Sec. 4. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

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1 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**
 2 **Medical Care - Payments to Providers 0147**
 3 Initiative: Provides funds for a rate increase for personal care and related services.

4	GENERAL FUND	2015-16	2016-17
5	All Other	\$0	\$5,629,934
6			
7	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$5,629,934</u>

8	FEDERAL EXPENDITURES FUND	2015-16	2016-17
9	All Other	\$0	\$9,988,164
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11	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$9,988,164</u>

12 **Office of Aging and Disability Services Central Office 0140**
 13 Initiative: Provides funds for a rate increase for personal care and related services.

14	GENERAL FUND	2015-16	2016-17
15	All Other	\$0	\$2,460,436
16			
17	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$2,460,436</u>

18	HEALTH AND HUMAN SERVICES,		
19	DEPARTMENT OF (FORMERLY DHS)		
20	DEPARTMENT TOTALS	2015-16	2016-17
21			
22	GENERAL FUND	\$0	\$8,090,370
23	FEDERAL EXPENDITURES FUND	\$0	\$9,988,164
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25	DEPARTMENT TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$18,078,534</u>

26 ; and be it further

27 **Sec. 5. Appropriations and allocations. Resolved:** That the following
 28 appropriations and allocations are made.

29 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**
 30 **Medical Care - Payments to Providers 0147**

31 Initiative: Provides funds for a 33% rate increase for home health services provided under
 32 Chapter 101: MaineCare Benefits Manual, Chapter II, Section 40.

ROFS

COMMITTEE AMENDMENT "A" to H.P. 605, L.D. 886

1	GENERAL FUND	2015-16	2016-17
2	All Other	\$0	\$501,459
3			
4	GENERAL FUND TOTAL	<hr/> \$0	<hr/> \$501,459
5	FEDERAL EXPENDITURES FUND	2015-16	2016-17
6	All Other	\$0	\$889,646
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8	FEDERAL EXPENDITURES FUND TOTAL	<hr/> \$0	<hr/> \$889,646
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SUMMARY

11 This amendment replaces the resolve. The amendment directs the Department of
12 Health and Human Services to amend its rules to increase the reimbursement rates for
13 personal care and related services to reflect the final rates modeled in the February 1,
14 2016 report "Rate Review for Personal Care and Related Services: Final Rate Models."

15 The amendment also directs the Department of Health and Human Services to amend
16 its rules to increase the reimbursement rates by 33% for home health services provided
17 under the provisions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section
18 40.

19 The amendment requires the Department of Health and Human Services to estimate
20 the number of hours, and cost of those hours, of unmet need. The estimate must include
21 individuals eligible for services but who are on waiting lists and individuals who are
22 unable to find staffing in order to receive those services.

23 The amendment also adds appropriations and allocations sections.

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FISCAL NOTE REQUIRED

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(See attached)



127th MAINE LEGISLATURE

LD 886

LR 204(02)

Resolve, Directing the Department of Health and Human Services To Increase Reimbursement Rates for Home-based and Community-based Services

Fiscal Note for Bill as Amended by Committee Amendment

A (H-645)

Committee: Health and Human Services

Fiscal Note Required: Yes

Fiscal Note

	FY 2015-16	FY 2016-17	Projections FY 2017-18	Projections FY 2018-19
Net Cost (Savings)				
General Fund	\$0	\$8,591,829	\$8,519,115	\$8,519,115
Appropriations/Allocations				
General Fund	\$0	\$8,591,829	\$8,519,115	\$8,519,115
Federal Expenditures Fund	\$0	\$10,877,810	\$10,950,524	\$10,950,524
Revenue				
Federal Expenditures Fund	\$0	\$10,877,810	\$10,950,524	\$10,950,524

Fiscal Detail and Notes

The bill includes a General Fund appropriation of \$8,591,829 in fiscal year 2016-17 to the Department of Health and Human Services for rate increases for personal support and related services, as identified in the February 1, 2016 report "Rate Review for Personal Care and Related Services: Final Rate Models" prepared for the department by Burns & Associates Inc. and for a 33% rate increase for home health services provided under Chapter 101: MaineCare Benefits Manual, Chapter II, Section 40. Federal Expenditures Fund allocations will also be required for the FMAP match.

Section 3 of the bill requires the department to estimate the number of hours and the cost of those hours, for unmet need under the Chapter 101: MaineCare Benefits Manual, Sections 12, 19, 40 and 96 and the Office of Aging and Disability Services, Chapter 5 Office of Elder Services Policy Manual, Section 63. The estimate of hours and cost has not yet been determined.