

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

8mg  
R OHS

L.D. 924

Date: 6/20/2018

(Filing No. S- 529)

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE  
SENATE  
128TH LEGISLATURE  
SECOND SPECIAL SESSION

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 652,  
L.D. 924, Bill, "An Act Making Certain Supplemental Appropriations and Allocations  
and Changing Certain Provisions of the Law Necessary to the Proper Operations of State  
Government"

Amend the amendment in Part A in section 1 in §3195 by striking out all of  
subsections 1 and 2 (page 1, lines 26 to 33 and page 2, lines 1 to 13 in amendment) and  
inserting the following:

'1. Reimbursement. The department shall reimburse services provided to  
MaineCare member adults with intellectual disabilities or autism under a waiver granted  
by the federal Centers for Medicare and Medicaid Services for home-based and  
community-based care on the basis of rates and a methodology established by major  
substantive rulemaking. The department shall, at least every 2 years, conduct a  
substantive review of the rates set under this section. The review must provide for public  
comment. This section applies to all funds, including federal funds, paid by any agency  
of the State to a provider for care covered by the waiver.'

'2. Rulemaking. The department shall adopt rules providing reimbursement rates  
under this section that take into account the costs of providing care and services in  
conformity with applicable state and federal laws, rules, regulations and quality and  
safety standards and local competitive wage markets.'

Rules adopted pursuant to this subsection are major substantive rules as defined in Title  
5, chapter 375, subchapter 2-A.'

Amend the amendment in Part A in section 2 in subsection 2 in paragraph O in the  
first line (page 4, line 5 in amendment) by striking out the following: "and"

Amend the amendment in Part A in section 2 in subsection 2 in paragraph P in the  
first line (page 4, line 6 in amendment) by striking out the following: "diem." and  
inserting the following: 'diem;'

Amend the amendment in Part A in section 2 in subsection 2 by inserting after  
paragraph P the following:

'Q. S5140 shared living foster care, adult, one member; and

R. S5140 UN shared living foster care, adult, 2 members.'

ROFS

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 652, L.D. 924

**SUMMARY**

This amendment:

1. Removes requirements regarding assessment of individual need and resource application from the reimbursement methodology;
2. Requires that the Department of Health and Human Services perform a substantive review of rates at least every 2 years;
3. Removes the requirement that rates be sufficient to ensure that an adequate number of providers are available to provide access to services; and
4. Adds 2 procedure codes to the list of procedure codes for which the department must amend its rules to increase reimbursement rates.

**SPONSORED BY:**

(Senator HAMPER)

**COUNTY: Oxford**