

# MAINE STATE LEGISLATURE

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minority

SMG  
RCA

L.D. 1539

Date: 6/12/19

Minority

(Filing No. H-578)

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**HEALTH AND HUMAN SERVICES**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
129TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "B" to H.P. 1122, L.D. 1539, Bill, "An Act To Provide Maine Children Access to Affordable Health Care"

Amend the bill by striking out all of sections 1 and 2.

Amend the bill in section 3 in §3174-T in subsection 2 in paragraph A in the 2nd line (page 1, line 39 in L.D.) by striking out the following: "200% 325%" and inserting the following: '200%'

Amend the bill in section 3 in §3174-T in subsection 2 by striking out all of paragraph F (page 3, lines 26 and 27 in L.D.)

Amend the bill in section 3 in §3174-T by striking out all of subsections 2-A and 2-B (page 3, lines 28 to 41 in L.D.)

Amend the bill in section 3 in §3174-T in subsection 7 by striking out all of the last sentence (page 5, lines 16 to 18 in L.D.)

Amend the bill by striking out all of sections 4 to 6 (page 6, lines 18 to 43 and page 7, lines 1 to 6 in L.D.) and inserting the following:

**Sec. 4. Federal funding for outreach activities.** The Department of Health and Human Services shall apply for federal grant funds available for use for outreach activities as required in the Maine Revised Statutes, Title 22, section 3174-T, subsection 7. These funds must be used to supplement the 2% funding and may not supplant that funding.

**Sec. 5. Federal Medicaid waivers or state plan amendments; eligibility.** The Department of Health and Human Services shall submit any waivers or state plan amendments to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services determined necessary in order to accomplish the purposes of this Act, including but not limited to removing the requirement that premiums be paid and removing the requirement that children are subject to the 3-month waiting period for enrollment in the Cub Care program following the loss of health insurance or coverage under an employer-based plan.

**COMMITTEE AMENDMENT**

**Sec. 6. Appropriations and allocations.** The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF  
Medical Care - Payments to Providers 0147**

Initiative: Provides appropriations and allocations due to the elimination of the premiums in the Children's Health Insurance Program.

	<b>GENERAL FUND</b>	<b>2019-20</b>	<b>2020-21</b>
	All Other	\$45,273	\$147,268
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	<b>GENERAL FUND TOTAL</b>	<b>\$45,273</b>	<b>\$147,268</b>
	<b>FEDERAL BLOCK GRANT FUND</b>	<b>2019-20</b>	<b>2020-21</b>
	All Other	\$281,844	\$506,966
		<hr/>	<hr/>
	<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$281,844</b>	<b>\$506,966</b>

**Sec. 7. Contingent repeal.** The repeal of the Maine Revised Statutes, Title 22, section 3174-T, subsection 2, paragraph C, subparagraph (5) and section 3174-T, subsections 5 and 12 take effect only if the Department of Health and Human Services receives approval from the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to remove premium and waiting period requirements for health coverage for low-income children under the Cub Care program established in Title 22, section 3174-T, subsection 1. The Commissioner of Health and Human Services, upon receipt of approval, shall notify the Secretary of State, the President of the Senate, the Speaker of the House of Representatives and the Revisor of Statutes that such approval has been received.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**SUMMARY**

This amendment, which is the minority report of the committee, makes the following changes to the bill.

1. It keeps the maximum eligibility level for family income at 200% of the federal poverty level, which is the amount established in current law.

2. It directs the Department of Health and Human Services to submit any waivers or state plan amendments to accomplish the eligibility criteria established in this legislation, including but not limited to removing the 3-month waiting period for enrollment in the Cub Care program following the loss of health insurance or coverage under an employer-based plan.

1 3. It removes the provision that eligibility is not subject to an asset test because  
2 current rules do not make eligibility subject to an asset test.

3 4. It removes the requirement to provide coverage to persons 19 and 20 years of age  
4 and to noncitizens under 21 years of age.

5 5. It removes the requirement that the department contract for outreach activities and  
6 removes the reference to specific federal grant funds the department must seek for  
7 additional outreach activities.

8 6. It removes the requirement for the department to submit a state plan amendment to  
9 the United States Department of Health and Human Services, Centers for Medicare and  
10 Medicaid Services to implement the use of the express lane eligibility option.

11 7. It makes the repeal of the waiting period and premium payment requirements  
12 under the Cub Care program contingent on the approval of a waiver of those requirements  
13 by the United States Department of Health and Human Services, Centers for Medicare  
14 and Medicaid Services.

15 8. It also adds an appropriations and allocations section.

16 **FISCAL NOTE REQUIRED**

17 **(See attached)**



# 129th MAINE LEGISLATURE

LD 1539

LR 587(03)

## An Act To Provide Maine Children Access to Affordable Health Care

Fiscal Note for Bill as Amended by Committee Amendment

*B(H-579)*

Committee: Health and Human Services

Fiscal Note Required: Yes

### Fiscal Note

	FY 2019-20	FY 2020-21	Projections FY 2021-22	Projections FY 2022-23
<b>Net Cost (Savings)</b>				
General Fund	\$45,273	\$147,268	\$166,175	\$166,175
<b>Appropriations/Allocations</b>				
General Fund	\$45,273	\$147,268	\$166,175	\$166,175
Federal Block Grant Fund	\$281,844	\$506,966	\$488,059	\$488,059
<b>Revenue</b>				
Federal Block Grant Fund	\$281,844	\$506,966	\$488,059	\$488,059

### Fiscal Detail and Notes

The bill includes General Fund appropriations to the Department of Health and Human Services of \$45,273 in fiscal year 2019-20 and \$147,268 in fiscal year 2020-21 due to the elimination of the premiums, if approved by the Centers for Medicare and Medicaid Services, in the Children's Health Insurance Program. Federal Block Grant Fund allocations are also included for the FMAP match.