

# MAINE STATE LEGISLATURE

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# 130th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2021

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Legislative Document

No. 166

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S.P. 68

In Senate, January 25, 2021

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**An Act To Allow Participants in the Qualified Medicare Beneficiary  
Program To Qualify for MaineCare Transportation Services**

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Received by the Secretary of the Senate on January 21, 2021. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator POULIOT of Kennebec.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §3174-FFF** is enacted to read:

3 **§3174-FFF. Transportation services to qualified Medicare beneficiaries**

4 Notwithstanding any provision of law to the contrary, an individual who is a qualified  
5 Medicare beneficiary under federal law is eligible to receive the same nonemergency  
6 transportation services that are provided to MaineCare members. The department may  
7 adopt rules to implement this section. Rules adopted pursuant to this section are routine  
8 technical rules as defined in Title 5, chapter 375, subchapter 2-A.

9 **Sec. 2. Department of Health and Human Services to seek approval from**  
10 **Centers for Medicare and Medicaid Services.** The Department of Health and  
11 Human Services shall submit any waivers or state plan amendments to the United States  
12 Department of Health and Human Services, Centers for Medicare and Medicaid Services  
13 that are necessary to seek approval to reimburse MaineCare providers for providing  
14 nonemergency transportation services to qualified Medicare beneficiaries as required by  
15 the Maine Revised Statutes, Title 22, section 3174-FFF.

16 **Sec. 3. Reimbursement using General Fund funds.** The Department of Health  
17 and Human Services shall reimburse MaineCare providers of nonemergency transportation  
18 services to qualified Medicare beneficiaries using General Fund funds if approval is not  
19 received from the United States Department of Health and Human Services, Centers for  
20 Medicare and Medicaid Services pursuant to section 2.

21 **SUMMARY**

22 This bill extends nonemergency transportation services currently available to  
23 MaineCare members to qualified Medicare beneficiaries. The Department of Health and  
24 Human Services is required to submit to the United States Department of Health and  
25 Human Services, Centers for Medicare and Medicaid Services any waivers or state plan  
26 amendments that are necessary for approval to provide these services. If approval is denied,  
27 the Department of Health and Human Services is required to reimburse MaineCare  
28 providers of nonemergency transportation services with General Fund funds.