

MAINE STATE LEGISLATURE

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Date: 6/17/25

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STATE OF MAINE
SENATE
132ND LEGISLATURE
FIRST SPECIAL SESSION

SENATE AMENDMENT "B" to COMMITTEE AMENDMENT "A" to H.P. 132, L.D. 210, "An Act Making Unified Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of State Government and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2025, June 30, 2026 and June 30, 2027"

Amend the amendment by inserting after Part AAAA the following:

'PART BBBB

Sec. BBBB-1. 22 MRSA §1708-A is enacted to read:

§1708-A. Per diem payments to Maine Veterans' Homes

Services provided by a veterans' facility must be reimbursed by the MaineCare program at rates established by the department in accordance with this section. This section applies to rates that are paid from all funds, including federal funds, by an agency of the State to a veterans' facility for resident care.

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Multilevel health care facility" has the same meaning as in section 7852, subsection 10-A.

B. "Nursing home" has the same meaning as in section 1812-A.

C. "Residential care facility" has the same meaning as in section 7852, subsection 14.

D. "Veterans' facility" means a nursing home, residential care facility or multilevel health care facility that is operated by the Maine Veterans' Homes at any location required under Title 37-B, section 601, subsection 2.

2. Per resident basis. Veterans' facilities must be reimbursed on a per resident daily rate basis for services to residents covered by the MaineCare program.

3. Rate calculations. Different rates must be established for nursing home services and residential care facility services provided by a veterans' facility.

A. For nursing homes, rate calculations under this section must follow the process and principles established in section 3173-J to determine a daily rate that is reasonable and

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adequate to cover the MaineCare allowable costs of operating a nursing home operated by the Maine Veterans' Homes to reflect any meaningful cost differences between veterans' and nonveterans' nursing home costs for the direct care and routine care cost components of the daily rate. Adjustments to rates and reimbursement for purposes that include, but are not limited to, audit procedures, quality and case mix must be made in the same manner as those adjustments are made for all other nursing homes as established in department rule.

B. For residential care facilities, rate calculations under this section must include an add-on per diem rate that is reasonable and adequate to cover the demonstrated MaineCare allowable costs of operating veterans' facilities that are residential care facilities when provided in addition to the per diem rates already established under MaineCare rules for reimbursement of residential care facilities. The add-on amounts are subject to cost settlement so that total reimbursement does not exceed MaineCare allowable costs for each facility.

4. Annual adjustments for inflation. The per diem rates must be annually adjusted for inflation to the same extent that MaineCare reimbursement rates for other nursing homes and residential care facilities that are not operated by the Maine Veterans' Homes are adjusted.

Sec. BBBB-2. Supplemental payments previously appropriated. Upon implementation of the rate calculations process established in the Maine Revised Statutes, Title 22, section 1708-A, any supplemental funding allocated or appropriated for the Maine Veterans' Homes in Public Law 2023, chapter 412 that has not been expended may not be used as supplemental payments but may be used for the purposes of this Part.

Sec. BBBB-3. Appropriations and allocations. The following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF

Medical Care - Payments to Providers 0147

Initiative: Provides funding for per diem payments to the Maine Veterans' Homes facilities for services provided to MaineCare members.

GENERAL FUND	2025-26	2026-27
All Other	\$1,203,116	\$1,261,053
GENERAL FUND TOTAL	\$1,203,116	\$1,261,053

FEDERAL EXPENDITURES FUND	2025-26	2026-27
All Other	\$1,920,237	\$1,951,003
FEDERAL EXPENDITURES FUND TOTAL	\$1,920,237	\$1,951,003

Nursing Facilities 0148

Initiative: Provides funding for per diem payments to the Maine Veterans' Homes facilities for services provided to MaineCare members.

GENERAL FUND	2025-26	2026-27
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SENATE AMENDMENT "B" to COMMITTEE AMENDMENT "A" to H.P. 132, L.D. 210 (S-434)

1	All Other	\$906,612	\$1,065,141
2			
3	GENERAL FUND TOTAL	\$906,612	\$1,065,141
4			
5	FEDERAL EXPENDITURES FUND	2025-26	2026-27
6	All Other	\$1,631,384	\$1,813,349
7			
8	FEDERAL EXPENDITURES FUND TOTAL	\$1,631,384	\$1,813,349
9			
10	OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
11	All Other	\$162,180	\$183,913
12			
13	OTHER SPECIAL REVENUE FUNDS TOTAL	\$162,180	\$183,913
14	PNMI Room and Board Z009		
15	Initiative: Provides funding for per diem payments to the Maine Veterans' Homes facilities		
16	for services provided to MaineCare members.		
17	GENERAL FUND	2025-26	2026-27
18	All Other	\$3,346,150	\$3,441,181
19			
20	GENERAL FUND TOTAL	\$3,346,150	\$3,441,181
21			
22	HEALTH AND HUMAN SERVICES,		
23	DEPARTMENT OF		
24	DEPARTMENT TOTALS	2025-26	2026-27
25			
26	GENERAL FUND	\$5,455,878	\$5,767,375
27	FEDERAL EXPENDITURES FUND	\$3,551,621	\$3,764,352
28	OTHER SPECIAL REVENUE FUNDS	\$162,180	\$183,913
29			
30	DEPARTMENT TOTAL - ALL FUNDS	\$9,169,679	\$9,715,640

31

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

34

SUMMARY

35 This amendment establishes a per diem amount to be paid to the Maine Veterans'
 36 Homes facilities for each MaineCare member, in addition to the regular reimbursement for
 37 a MaineCare member in a nursing facility or residential care facility. The per diem must
 38 be adjusted for inflation to the same extent that nursing facilities and residential care
 39 facilities are adjusted. Upon implementation of the rate calculation process established by
 40 this legislation, any supplemental payments allocated or appropriated for the Maine
 41 Veterans' Homes in Public Law 2023, chapter 412 that have not been expended may no

SENATE AMENDMENT

SENATE AMENDMENT "B" to COMMITTEE AMENDMENT "A" to H.P. 132, L.D. 210 (S. 434)

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1 longer be provided in supplemental payments, but may be used for the purposes of these
2 provisions. The amendment also includes an appropriations and allocations section.

3 SPONSORED BY: Marlene Moore

4 (Senator MOORE, M.)

5 COUNTY: Washington

FISCAL NOTE REQUIRED
(See attached)

SENATE AMENDMENT

**132nd MAINE LEGISLATURE****LD 210****LR 2409(10)**

An Act Making Unified Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of State Government and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2025, June 30, 2026 and June 30, 2027

Fiscal Note for Senate Amendment "B" to Committee Amendment "A" (S.434)

Sponsor: Sen. Moore of Washington

Fiscal Note Required: Yes

Fiscal Note

	FY 2025-26	FY 2026-27	Projections FY 2027-28	Projections FY 2028-29
Net Cost (Savings)				
General Fund	\$5,455,878	\$5,767,375	\$5,993,452	\$6,185,411
Appropriations/Allocations				
General Fund	\$5,455,878	\$5,767,375	\$5,993,452	\$6,185,411
Federal Expenditures Fund	\$3,551,621	\$3,764,352	\$3,942,773	\$4,098,200
Other Special Revenue Funds	\$162,180	\$183,913	\$197,672	\$207,442
Revenue				
Federal Expenditures Fund	\$3,551,621	\$3,764,352	\$3,942,773	\$4,098,200
Other Special Revenue Funds	\$162,180	\$183,913	\$197,672	\$207,442

Fiscal Detail and Notes

The amendment includes General Fund appropriations to the Department of Health and Human Services of \$5,455,878 in fiscal year 2025-26 and \$5,767,375 in fiscal year 2026-27 for per diem payments to Maine Veterans' Homes facilities for services provided to MaineCare members. Federal Expenditures Fund allocations are included for the FMAP match and Other Special Revenue Funds allocations are included for the Nursing Facility Tax. A balanced budget is not maintained.