## MAINE STATE LEGISLATURE

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## 132nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2025

**Legislative Document** 

No. 977

H.P. 637

House of Representatives, March 11, 2025

Resolve, Requiring the Maine Health Data Organization to Develop a Plan for Measuring Gaps in Home and Community-based Services

Received by the Clerk of the House on March 7, 2025. Referred to the Committee on Health Coverage, Insurance and Financial Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

ROBERT B. HUNT Clerk

R(+ B. Hunt

Presented by Representative CLUCHEY of Bowdoinham.

**Preamble.** Whereas, continuing workforce challenges have contributed to a gap between home and community-based services that are authorized and those that are delivered under the MaineCare program and state-funded programs; and

Whereas, consistent measurement of this care gap is critical to understanding whether the gap is expanding or contracting and whether policy interventions are needed; and

Whereas, the federal Department of Health and Human Services, Centers for Medicare and Medicaid Services have published Medicaid home and community-based services gap measures that states will be required to submit to the Centers for Medicare and Medicaid Services; and

**Whereas,** the Maine Health Data Organization has expertise that uniquely qualifies it to calculate valid and complex health care measures; now, therefore, be it

**Sec. 1. Maine Health Data Organization to develop measurement plan. Resolved:** That the Maine Health Data Organization shall develop a plan for annual measurement of the State's home and community-based services care gap, using claims and care authorization data that currently exist. The plan must ensure that the measures meet federal Department of Health and Human Services, Centers for Medicare and Medicaid Services data requirements and are therefore comparable to measures submitted by other states. As used in this resolve, "care gap" means the difference between the home and community-based services individuals are authorized to receive and the services they actually receive under the following MaineCare provisions and state-funded programs: the Department of Health and Human Services rule Chapter 101: MaineCare Benefits Manual, Sections 12, 17, 18, 19, 20, 21, 23, 26, 28, 29, 40, 65, 92 and 96; and 10-149 C.M.R. Chapter 5, Office of Aging and Disability Services Policy Manual, Sections 61, 63, 68 and 69 as well as any rules that are adopted to provide services under the lifespan program pursuant to the Maine Revised Statutes, Title 34-B, section 5003-B.

Sec. 2. Department of Health and Human Services to provide sample data. Resolved: That the Department of Health and Human Services shall provide sample data related to care gap measurement to the Maine Health Data Organization on request for use in developing the measurement plan in section 1.

**Sec. 3. Report. Resolved:** That the Maine Health Data Organization shall submit a report to the Joint Standing Committee on Health and Human Services by January 15, 2026 outlining available data, data gaps and the estimated cost of creating and implementing an annual measurement of the care gap that meets federal reporting requirements pursuant to section 1. The report may include recommendations regarding responsibilities for ongoing data collection, tracking and reporting.

**SUMMARY** 

This resolve requires the Maine Health Data Organization to develop a plan for annual measurements of the gap between authorized care and the services actually provided for home and community-based services under the MaineCare program, state-funded programs and the forthcoming lifespan program using existing data. The Department of Health and Human Services is required to provide data to the Maine Health Data Organization upon request. The Maine Health Data Organization must submit a report to the Joint Standing Committee on Health and Human Services no later than January 15, 2026.