MAINE STATE LEGISLATURE

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1	L.D. 848
2	(Filing No. H-323)
3 4 5 6	STATE OF MAINE HOUSE OF REPRESENTATIVES 112TH LEGISLATURE FIRST REGULAR SESSION
7 8 9 10	COMMITTEE AMENDMENT " # " to H.P. 577, L.D. 848, Bill, "AN ACT to Implement Recommendations of the Maine Health Care Finance Commission's Hospital Advisory Committee."
11 12	Amend the bill by striking out all of the title and inserting in its place the following:
13 14	'AN ACT Amending Certain Provisions of the Maine Health Care Finance Law.'
15 16 17	Further amend the bill by striking out everything after the enacting clause and inserting in its place the following:
18 19	'Sec. 1. 22 MRSA §396-D, sub-§5, ¶A, as enacted by PL 1983, c. 579, §10, is amended to read:
20 21 22 23 24 25 26 27 28 29 30 31	A. In Except as provided in paragraph C, in determining payment year financial requirements, the commission shall include an adjustment to reflect any net increases or decreases in the hospital's costs resulting from projects approved in accordance with the Maine Certificate of Need Act and section 396-K. These adjustments may be made subsequent to the commencement of a fiscal year and shall take effect on the date that expenses associated with the project would be eligible for reimbursement under the Medicare program.
32 33	Sec. 2. 22 MRSA $\S396-D$, sub- $\S5$, \PC is enacted to read:
34 35 36	C. In determining payment year financial requirements, if a project approved in accordance with the Maine Certificate of Need Act and sec-

COMMITTEE AMENDMENT "A" to H.P. 577, L.D. 848

- tion 396-K subsequent to October 1, 1985, volves an activity specified in subsection 8, the 2 3 commission may elect to determine an adjustment to reflect any net decrease resulting from that 5 project in a manner consistent with its determination of adjustments under subsection 8. 7 Sec. 3. 22 MRSA §396-E, sub-§1, ¶D, as enacted 8 by PL 1983, c. 579, §10, is amended to read: 9 D. Donor restricted gifts, grants, devises or restricted income from investment thereof shall 10 11 be considered available resources only to the ex-12 tent these funds are applied to the use for which 13 they were donated, except that the purchase of movable equipment with any such funds in years 14 15 following the completion of a hospital's base 16 year shall not operate to reduce the allowance 17 for facilities and equipment otherwise determined 18 under section 396-D, subsection 3. 19 Sec. 4. 22 MRSA §396-E, sub-§1, ¶E, as enacted
- 21 STATEMENT OF FACT

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by PL 1983, c. 579, §10, is repealed.

22 In the case of certain activities, such as a ter-23 mination of an unnecessary service or a merger, 24 Maine Health Care Finance Commission is given the discretion, under appropriate circumstances, not to reduce a hospital's financial requirements, if such 25 26 27 activities are not subject to review under the Maine 28 Certificate of Need Act. Sections 1 and 2 of this 29 amendment permit the commission not to reduce finan-30 cial requirements even when such activities are sub-31 ject to certificate of need requirements.

32 Section 3 modifies provisions governing applica-33 tion of restricted gift funds. This amendment allows 34 the restricted gift offset to the annual allowance 35 for facilities and equipment for the 2nd and subseCOMMITTEE AMENDMENT " # " to H.P. 577, L.D. 848

- quent payment years to equal the amount offset in the first payment year.

 Under the current law, 50% of any savings realized by a hospital during a year are retained by the hospital and 50% of the savings are shared by the consumer. Section 4 allows the hospital to retain 100% of the savings.
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Reported by the Majority of the Committee on Human Resources Reproduced and distributed under the direction of the Clerk of the House

6/4/85 (Filing No. H-323)