

MAINE STATE LEGISLATURE

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(EMERGENCY)
SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 2242

H.P. 1643 House of Representatives, February 11, 1988

Approved for introduction by a majority of the
Legislative Council pursuant to Joint Rule 26.

Reference to the Committee on Appropriations and
Financial Affairs suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Speaker MARTIN of Eagle Lake.

Cosponsored by Senators PEARSON of Penobscot, GILL of
Cumberland and Representative FOSS of Yarmouth.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-EIGHT

1 **AN ACT to Make Health Care More**
2 **Accessible to Low-Income Elderly and**
3 **Disabled Individuals, Children**
4 **and Pregnant Women.**
5

6 **Emergency preamble.** Whereas, Acts of the
7 Legislature do not become effective until 90 days
8 after adjournment unless enacted as emergencies; and

9 Whereas, a number of elderly and disabled

1 individuals, children and pregnant women with incomes
2 below the poverty level presently have no medical
3 insurance; and

4 Whereas, as a result these individuals go without
5 needed medical treatment; and

6 Whereas, this places them at greater risk
7 medically and increases the cost of future treatment;
8 and

9 Whereas, the United States Congress has recently
10 given states the option of covering these individuals
11 under the Medicaid program; and

12 Whereas, in the judgment of the Legislature, these
13 facts create an emergency within the meaning of the
14 Constitution of Maine and require the following
15 legislation as immediately necessary for the
16 preservation of the public peace, health and safety;
17 now, therefore,

18 Be it enacted by the People of the State of Maine as
19 follows:

20 Sec. 1. 22 MRSA §3174-E is enacted to read:

21 §3174-E. Medicaid coverage of certain elderly and
22 disabled individuals, children and pregnant
23 women

24 1. Delivery of services. The department shall
25 provide for the delivery of federally approved
26 Medicaid services to qualified elderly and disabled
27 persons, pregnant women up to 60 days following
28 delivery and infants and children under 2 years of
29 age, whose family incomes are below 100% of the
30 nonfarm income official poverty line applicable to a
31 family of the size involved, as defined by the Federal
32 Office of Management and Budget and revised annually
33 in accordance with the United States Omnibus Budget
34 Reconciliation Act of 1981, Section 673, Subsection

35 2. As soon as authorized by federal law, the
36 department shall provide Medicaid services to
37 qualified pregnant women up to 60 days following
38 delivery, infants under one year whose family incomes

1 are below 185% of the nonfarm official poverty line
2 and children who are 1 year of age, but under 5 years,
3 whose family incomes are below 100% of the nonfarm
4 income official poverty line.

5 2. Resource test. The department may not apply a
6 resource test to those children and pregnant women who
7 are made eligible under this section, unless these
8 persons also receive Aid to Families with Dependent
9 Children or United States Supplemental Security Income
10 benefits.

11 3. Benefits authorized. Medical assistance to be
12 provided within this section shall be that authorized
13 by the Federal Sixth Omnibus Budget Reconciliation
14 Act, Public Law 99-509.

15 Sec. 2. Appropriation. The following funds are
16 appropriated from the General Fund to carry out the
17 purposes of this Act.

18 1988-89

19 HUMAN SERVICES, DEPARTMENT OF

20 Medical Care - Payment to Providers

21 All Other \$1,999,689

22 Sec. 3. Allocation. The following funds are
23 allocated from the Federal Expenditure Fund to carry
24 out the purposes of this Act.

25 1988-89

26 HUMAN SERVICES, DEPARTMENT OF

27 Medical Care - Payment to Providers

28 All Other \$4,074,700

29 Emergency clause. In view of the emergency
30 cited in the preamble, this Act shall take effect when
31 approved.

1

STATEMENT OF FACT

2 The Medicaid program currently provides benefits
3 to eligible persons whose family incomes average
4 approximately 70% of the federally recognized poverty
5 level. If their income exceeds that amount they can
6 only gain eligibility once they have incurred
7 substantial medical expenses. Because of this, many
8 individuals go without needed treatment resulting in
9 greater danger to their health and increasing medical
10 expense as their medical condition becomes more acute.

11 The United States Congress has recently passed
12 legislation authorizing states to provide Medicaid
13 benefits to elderly and disabled individuals; children
14 up to 5 years of age and pregnant women whose family
15 income is below the poverty level. This bill adopts
16 that option in this State.

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