

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1032

S.P. 387

In Senate, April 4, 1989

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

A handwritten signature in cursive script, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator GILL of Cumberland.

Cosponsored by Senator GAUVREAU of Androscoggin, Representative PENDLETON of Scarborough and Representative CLARK of Brunswick.

STATE OF MAINE

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

An Act to Expand Medicaid Eligibility to Children, Ages 5 to 8 Years, with Family Incomes Below 100% of Official Poverty Line.



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

3 **Sec. 1. 22 MRSA §3174-E**, as enacted by PL 1987, c. 831, §1;
5 c. 836, §§1 and 4; and c. 847, §4, is repealed and the following
enacted in its place:

7 **§3174-E. Interim assistance agreement**

9 The department, with the approval of the Governor and on
11 behalf of the State, may enter into an agreement with the United
13 States Social Security Administration for the purpose of
receiving reimbursement for interim assistance payments as
provided by the United States Social Security Act.

15 **Sec. 2. 22 MRSA §§3174-F and 3174-G** are enacted to read:

17 **§3174-F. Coverage for adult dental services**

19 1. Coverage provided. The Department of Human Services
21 shall provide dental services, reimbursed under the United States
23 Social Security Act, Title XIX, or successors to it, to
individuals 21 years of age and over, limited to:

25 A. Acute surgical care directly related to an accident
27 where traumatic injury has occurred. This coverage will
only be provided for the first 3 months after the accident;

29 B. Oral surgical and related medical procedures not
involving dentition and gingiva;

31 C. Extraction of teeth which are severely decayed and which
33 pose a serious threat of infection during a major surgical
procedure of the cardiovascular or the skeletal system or
during radiation therapy for a malignant tumor;

35 D. Treatment necessary to relieve pain, eliminate infection
37 and prevent imminent tooth loss; and

39 E. The provision of total dentures when necessary to
41 correct masticatory deficiencies likely to impair general
health, including necessary adjustments, relines, repairs
and replacements.

43 2. Report and study. The Bureau of Medical Services shall,
45 prior to January 30, 1990:

47 A. Report to the joint standing committee of the
49 Legislature having jurisdiction over human resource matters
on the experience of this program, including:

51 (1) The number of individuals assisted by the program;

- 1 (2) The services provided to those individuals;
- 3 (3) The cost of services provided;
- 5 (4) Any significant limitations that have become
7 apparent in the scope of service provided; and
- 9 (5) Recommendations and rationale for any expansion of
 service that appears necessary; and

11 B. Study the feasibility of contracting with a prepaid
13 dental plan, health maintenance organization or other entity
15 for the provision of Medicaid dental services to individuals
17 21 years of age and over and submit the results of that
 study, together with any recommendations, to the joint
 standing committee of the Legislature having jurisdiction
 over human resource matters.

19 §3174-G. Medicaid coverage of certain elderly and
21 disabled individuals, children and pregnant
 women

23 1. Delivery of services. The department shall provide for
25 the delivery of federally approved Medicaid services to qualified
27 children born after September 30, 1983, up to the age of 8 years,
29 when the child's family income is below 100% of the nonfarm
31 income official poverty line. The official poverty line shall be
33 that applicable to a family of the size involved, as defined by
 the Federal Office of Management and Budget and revised annually
 in accordance with the United States Omnibus Budget
 Reconciliation Act of 1981, Section 673, Subsection 2. These
 services shall be effective October 1, 1989.

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

41 3. Benefits authorized. The scope of medical assistance to
43 be provided within this section shall be that authorized by the
 Federal Omnibus Budget Reconciliation Act of 1987, Public Law
 100-203.

45 Sec. 3. Appropriation. The following funds are appropriated
 from the General Fund to carry out the purposes of this Act.

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1989-90 1990-91

**HUMAN SERVICES, DEPARTMENT OF
Medical Care - Payment to
Providers**

All Other \$115,168 \$334,245

Provides funds for Medicaid coverage of certain children, effective October 1, 1989.

Sec. 4. Allocation. The following funds are allocated from federal funds to carry out the purposes of this Act.

1989-90 1990-91

**HUMAN SERVICES, DEPARTMENT OF
Medical Care - Payment to
Providers**

All Other \$219,332 \$601,755

Allocates federal Medicaid matching funds, effective October 1, 1989.

STATEMENT OF FACT

Federal legislation permits optional Medicaid coverage of children born after September 30, 1983, up to the age of 8 years, whose family income is below 100% of the federal poverty level. This bill extends Medicaid coverage to those children in Maine as allowed under federal law. Without this legislation, children in this income group may become ineligible for Medicaid coverage when they reach their 5th birthday.

This bill also resolves a conflict between 3 public laws by renumbering them.