

# MAINE STATE LEGISLATURE

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L.D. 1696  
(Filing No. H-594 )

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
114TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1224, L.D. 1696, Bill, "An Act to Establish a Program to Prevent Spousal Impoverishment"

Amend the bill by striking out everything after the enacting clause and before the emergency clause and inserting in its place the following:

Sec. 1. 22 MRSA §3174-D, as enacted by PL 1987, c. 834, §2, is repealed.

Sec. 2. 22 MRSA §3189 is enacted to read:

§3189. Spousal impoverishment prevention program

The department shall implement the provisions of the federal Medicare Catastrophic Coverage Act of 1988, Public Law 100-360, relating to treatment of income and resources of spouses at the earliest opportunity permitted under that law. The department shall provide for the maximum monthly maintenance needs allowance and the maximum level of resources for the community spouse permitted under federal law.

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

	1989-90	1990-91
<b>HUMAN SERVICES, DEPARTMENT OF</b>		
<b>Intermediate Care - Payments to Providers</b>		
All Other	\$417,000	\$329,000

1 Provides funds to implement  
3 the federal Medicare  
5 Catastrophic Coverage Act of  
7 1988 at the maximum monthly  
9 maintenance needs allowance  
and the maximum level of  
resources for a community  
spouse permitted under the  
federal law.

11 **Sec. 4. Allocation.** The following funds are allocated from  
13 Federal Expenditure funds to carry out the purposes of this Act.

	1989-90	1990-91
17 <b>HUMAN SERVICES, DEPARTMENT OF</b>		
19 <b>Intermediate Care - Payments</b>		
21 <b>to Providers</b>		

23 All Other	\$794,153	\$592,311
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25 Provides federal matching  
funds to implement the  
27 Medicare Catastrophic  
Coverage Act of 1988.

#### 29 FISCAL NOTE

31 The Department of Human Services, Part I budget, General  
33 Fund appropriations, includes \$633,000 in fiscal year 1989-90 and  
\$1,571,000 in fiscal year 1990-91 for this purpose. In addition  
35 \$450,000 will be available in fiscal year 1989-90 from funds  
appropriated in Public Law 1987, chapter 834.'

#### 37 STATEMENT OF FACT

39 This amendment requires the Department of Human Services to  
41 implement the federal Medicare Catastrophic Coverage Act of 1988  
43 with regard to amount of income and resources permitted to a  
community spouse under the Medicaid program when one spouse is  
45 institutionalized. It requires the department to choose the  
option which permits the greatest retention of income and  
47 resources.

49 This amendment also adds an appropriation, an allocation and  
a fiscal note.