

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document

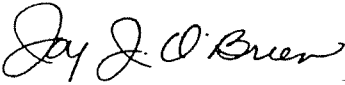
No. 1842

S.P. 704

In Senate, December 8, 1989

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

Received by the Secretary of the Senate on December 8, 1989. Referred to the Committee on Appropriations and Financial Affairs and 1,600 ordered printed pursuant to Joint Rule 14.


JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BRANNIGAN of Cumberland.

Cosponsored by Representative CARROLL of Gray, Senator PERKINS of Hancock and Representative FOSS of Yarmouth.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

Resolve, to Establish a Medicaid Plan for Children and Families.

(EMERGENCY)



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

Whereas, there are many children and families in crisis
situations awaiting the availability of case management and other
community support services; and

Whereas, Maine is losing millions of dollars each year in
federal Medicaid revenue for services vitally necessary to Maine
families; and

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

Sec. 1. Interdepartmental planning. Resolved: That the
Department of Human Services, Bureau of Medical Care has the
responsibility for the development and implementation of the
Medicaid Plan for Children and Families. The following agencies
shall provide assistance to the bureau in the development and
implementation: the Department of Human Services, Bureau of Child
and Family Services; the Department of Educational and Cultural
Services, Bureau of Instructions, Division of Special Education;
the Department of Corrections, Bureau of Juvenile Corrections;
and the Department of Mental Health and Mental Retardation,
Bureau of Children with Special Needs. The plan should identify
new options or uses of Medicaid in funding child and family
services and must include a means to secure any necessary federal
approval as expeditiously as possible.

In addition to such staff and resources as may be made
available by this resolve, the interdepartmental council shall
coordinate the interdepartmental planning effort and shall assign
such resources as may be available to it; and be it further

Sec. 2. Definitions. Resolved: That as used in this resolve,
unless the context otherwise indicates, the following terms have
the following meanings.

1. Children and families. "Children and families" means
individuals and their families who are or might be Medicaid
eligible, and who are served or might be served by one of the 4
agencies which comprise the interdepartmental council.

2. Community support services. "Community support
services" includes, but is not limited to, the following
services: case management, therapeutic foster care, group care,
residential treatment, in-home family support services and other
related services.

2 **3. Interdepartmental council.** "Interdepartmental council"
means the Committee for the Interdepartmental Coordination of
3 Services to Children and Families as established by the Maine
4 Revised Statutes, Title 34-B, section 1214.

6 **4. Medicaid.** "Medicaid" refers to that portion of the
federal Social Security Act which provides financial support to
7 the states for medical care; and be it further

10 **Sec. 3. Preliminary interdepartmental planning process. Resolved:**
That the preliminary interdepartmental planning process must be
11 completed by December 31, 1990. Monthly progress reports must be
12 submitted to the Joint Standing Committee on Appropriations and
13 Financial Affairs. The preliminary planning process must include
14 development of a work plan which establishes tasks to be
15 accomplished and identifies each agency's responsibilities,
including:

18 **1. Collation of information.** Collation of information on
20 potential uses of Medicaid in supporting community-based child
and family services;

22 **2. Identification of goals.** Identification and collation
24 of existing goals, objectives and services from the 4 departments
potentially eligible for funding under Medicaid;

26 **3. Determination of administrative capability.**
28 Determination of each agency's administrative capability to meet
Medicaid provider requirements and determination of any actions
30 necessary to meet Medicaid requirements in each of the
departments or the local provider agencies of the departments;

32 **4. Identification of eligible expenditures.** Identification
34 of existing expenditures eligible for matching funds under the
Medicaid program and any appropriations that could be converted
36 to Medicaid seed dollars; and

38 **5. Identification of implementation resources.**
Identification of actions and resources necessary to implement
40 eligible service options in each of the 4 departments; and be it
further

42 **Sec. 4. Interim plan; final plan. Resolved:** That the plan shall
44 be prepared in 2 phases.

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1. Interim plan. The interim plan must:

A. Be completed by March 31, 1991, and must be presented to the Joint Standing Committee on Appropriations and Financial Affairs on or before April 15, 1991;

B. Summarize the result of interdepartmental planning and actions to secure federal approval of new Medicaid options or uses;

C. Identify options needing further exploration or development and include a work plan for exploration or development;

D. Request such additional resources or statutory authorization as may be necessary to complete the plan and its implementation; and

E. Project federal revenue resulting from the completion of the interim plan which requires legislative authorization for expenditure.

2. Final plan. The final plan must:

A. Be completed by December 31, 1991, and must be presented to the Joint Standing Committee on Appropriations and Financial Affairs by January 15, 1992;

B. Specify how Medicaid will be used to support community-based services for children and families;

C. Present an allocation plan prepared by the 4 agencies of the interdepartmental council for the expenditure of revenue generated by the Medicaid Plan for Children and Families;

D. Request such additional resources or authorizations as may be necessary for full implementation of the plan; and

E. Include any necessary implementing legislation; and be it further

Sec. 5. Appropriation. Resolved: That the following funds are appropriated from the General Fund to carry out the purposes of this resolve. These funds shall not lapse, but shall carry forward as may be necessary for the purpose of this resolve.

1990-91

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HUMAN SERVICES, DEPARTMENT OF

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Bureau of Medical Care

6

Personal Services

\$37,240

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All Other

5,000

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TOTAL

\$42,240

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Provides funds for staff to coordinate the bureau's activity in support of the development and implementation of the Medicaid Plan for Children and Families.

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16

Bureau of Child and Family Services

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Personal Services

\$37,240

20

All Other

5,000

22

TOTAL

\$42,240

24

Provides funds for staff to coordinate the bureau's actions in support of the development and implementation of the Medicaid Plan for Children and Families.

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DEPARTMENT OF HUMAN SERVICES

30

TOTAL

\$84,480

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**EDUCATIONAL AND CULTURAL SERVICES,
DEPARTMENT OF**

34

36

Bureau of Instructions

38

Division of Special Education

40

Personal Services

\$37,240

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All Other

5,000

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TOTAL

\$42,240

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Provides funds for staff to coordinate the division's actions in support of the development and implementation of the Medicaid Plan for Children and Families.

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**DEPARTMENT OF EDUCATIONAL AND CULTURAL
SERVICES**

52

TOTAL

\$42,240

2 MENTAL HEALTH AND MENTAL RETARDATION,
4 DEPARTMENT OF

6 Bureau of Children with Special
Needs

8	Personal Services	\$37,240
	All Other	5,000
10		<hr/>
12	TOTAL	\$42,240

14 Provides funds for staff to coordinate the
bureau's actions in support of the
16 development and implementation of the
Medicaid Plan for Children and Families.

18 DEPARTMENT OF MENTAL HEALTH AND MENTAL
20 RETARDATION

20	TOTAL	<hr/>
		\$42,240

22 CORRECTIONS, DEPARTMENT OF

24 Bureau of Juvenile Corrections

26	Personal Services	\$37,240
	All Other	5,000
28		<hr/>
30	TOTAL	\$42,240

32 Provides funds for staff to coordinate the
bureau's actions in support of the
34 development and implementation of the
Medicaid Plan for Children and Families.

36 DEPARTMENT OF CORRECTIONS
TOTAL

36		<hr/>
		\$42,240

38	TOTAL APPROPRIATIONS	<hr/>
		\$211,200

40 Emergency clause. In view of the emergency cited in the
42 preamble, this resolve shall take effect when approved.

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46 STATEMENT OF FACT

48 This resolve requires the establishment of the Medicaid Plan
for Children and Families by the 4-member agencies of the
Committee for the Interdepartmental Coordination of Services to
50 Children and Families, commonly referred to as the
"Interdepartmental Council." The resolve provides necessary
52 funds to the agencies to explore potential uses and develop a
plan for implementation of Medicaid in funding services for
54 children and families. The resolve requires a preliminary,

interim and final plan with a goal of maximizing federal revenue
options through the Medicaid program. The resolve has built in
oversight of the plan development process by requiring several
reports to the Joint Standing Committee on Appropriations and
Financial Affairs.

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