

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
115TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " A " to S.P. 538, L.D. 1436, "Resolve, to Direct the Department of Mental Health and Mental Retardation to Develop a Proposal to Improve Staff Retention in Community-based Programs Serving Persons with Mental Retardation"

Amend the resolve by striking out all of the title and substituting the following:

'Resolve, Relating to Medicaid Rules Governing Services to Persons with Mental Retardation'

Further amend the resolve by striking out everything after the emergency preamble and before the emergency clause (page 1, lines 36 to 50 and page 2, lines 1 and 2 in L.D.) and inserting in its place the following:

'Rules. Resolved: That the Department of Human Services may not adopt any changes in Medicaid rules or principles of reimbursement governing services to persons with mental retardation, except those relating to section 2 of the Medical Assistance Manual relating to nursing facilities that are currently being processed, pending finalization of current interdepartmental negotiations relating to the transfer of responsibilities regarding services for persons with mental retardation to the Department of Mental Health and Mental Retardation or before June 15, 1991, whichever is earlier. The Department of Human Services shall report to the Joint Standing Committee on Human Resources regarding the final agreements reached by June 15, 1991.'

Further amend the resolve by inserting at the end before the statement of fact the following:

'FISCAL NOTE

This resolve restricts the ability of the Department of Human Services to adopt any changes in Medicaid rules or principles of reimbursement governing services to persons with

2 mental retardation pending finalization of current
interdepartmental negotiations and requires the department to
report by June 15, 1991. The Governor's proposed adjusted
4 current services budget affects this program and any change in
the implementation date will affect the recommended funding
6 level. An additional General Fund appropriation may be necessary
if there is a delay in the implementation date for the proposed
8 changes included in the Governor's budget.'

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STATEMENT OF FACT

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This amendment recognizes that negotiations are currently
under way between the Department of Human Services and the
16 Department of Mental Health and Mental Retardation regarding the
transfer of responsibilities for Medicaid services for persons
18 with mental retardation to the Department of Mental Health and
Mental Retardation. The amendment restricts the ability of the
20 Department of Human Services to adopt rules relating to those
services pending finalization of the negotiations or before June
22 15, 1991, whichever is earlier.

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The amendment also adds a fiscal note to the resolve.

Reported by Senator Conley for the Committee on Human
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(5/28/91) (Filing No. S-231)