

MAINE STATE LEGISLATURE

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M A J O R I T Y
BANKING & INSURANCE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
116TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 956, L.D. 1285, Bill, "An Act to Provide Family Security through Quality, Affordable Health Care"

Amend the bill in Part A in section 1 in that part designated "~~§372.~~" in subsection 3 by striking out all of paragraph M (page 5, lines 24 and 25 in L.D.) and inserting in its place the following:

'M. Health care services payable pursuant to Title 39-A for all employees whose date of injury is on or after July 1, 1995.'

Further amend the bill in Part A in section 1 in that part designated "~~§374.~~" in subsection 1 in paragraph B in subparagraph (2) in the last line (page 10, line 32 in L.D.) by striking out the following: "subparagraph 1" and inserting in its place the following: 'subparagraph (1)'

Further amend the bill in Part A in section 1 in that part designated "~~§374.~~" in subsection 1 in paragraph B in subparagraph (4) in the 3rd line (page 10, line 39 in L.D.) by striking out the following: "1994" and inserting in its place the following: '1995'

Further amend the bill in Part A in section 1 in that part designated "~~§375-B.~~" in subsection 1 by striking out all of the 2nd paragraph (page 14, lines 45 to 50 and page 15, lines 1 to 3 in L.D.) and inserting its place the following:

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2 'Persons eligible for appointment to the council must have had
3 experience in the organization, delivery or financing of health
4 care. At least one member of the council must be an individual
5 with experience in the delivery and organization of primary and
6 preventive care and public health services. At least one member
7 of the council must be an individual who is not a health care
8 provider and has not worked for a health care provider or health
9 insurer. Members of the council shall devote full time to their
10 duties.'

12 Further amend the bill in Part A in section 2 in the last
13 line (page 15, line 30 in L.D.) by striking out the following:
14 "1995" and inserting in its place the following: '1996'

16 Further amend the bill in Part A in section 3 in the last
17 line (page 15, line 33 in L.D.) by striking out the following:
18 "1994" and inserting in its place the following: '1995'

20 Further amend the bill in Part B in section 1 in subsection
21 6 in the last 2 lines (page 17, lines 3 and 4 in L.D.) by
22 striking out the following: "July 1, 1994, January 1, 1995, July
23 1, 1995 and December 31, 1996" and inserting in its place the
24 following: 'July 1, 1995, January 1, 1996, July 1, 1996 and
25 December 31, 1996'

26 Further amend the bill in Part B in section 1 in subsection
27 7 in the 2nd line (page 17, line 7 in L.D.) by striking out the
28 following: "1995" and inserting in its place the following:
29 '1996'

32 Further amend the bill in Part B in section 2 in the last
33 line (page 2, line 11 in L.D.) by striking out the following:
34 "1994" and inserting in its place the following: '1995'

36 Further amend the bill in Part C in section 2 in subsection
37 3-A in the last line (page 17, line 31 in L.D.) by striking out
38 the following: "1995" and inserting in its place the following:
39 '1996'

40 Further amend the bill in Part C by striking out all of
41 section 7 (page 18, lines 8 to 16 in L.D.)

44 Further amend the bill in Part C by striking out all of
45 section 12 and inserting in its place the following:

46 'Sec. C-12. 22 MRSA §307, sub-§6-A, as amended by PL 1993, c.
47 410, Pt. FF, §2, is further amended to read:

6-A. **Review cycles.** The department shall establish review cycles for the review of applications. There must be at least one review cycle for each type or category of project each calendar year, the dates for which must be published at least 3 months in advance. An application must be reviewed during the next scheduled review cycle following the date on which the application is either declared complete or submitted for review pursuant to section 306-A, subsection 4, paragraph B. Hospital projects that must be considered within the constraints established by the Certificate of Need Development Account established pursuant to section 396-K may be grouped for competitive review purposes at least once each year; provided that, for minor projects, as defined by the department through rules adopted pursuant to section 312, the department shall allocate a portion of the Certificate of Need Development Account for the approval of those projects and shall establish at least 6 review cycles each year for the review of those projects. Nursing home projects that propose to add new nursing home beds to the inventory of nursing home beds within the State may be grouped for competitive review purposes consistent with appropriations made available for that purpose by the Legislature. A nursing home project that proposes renovation, replacement or other actions that will increase Medicaid costs and for which an application is filed after March 1, 1993 may be approved only if appropriations have been made by the Legislature expressly for the purpose of meeting those costs. The department may hold an application for up to 90 days following the commencement of the next scheduled review cycle if, on the basis of one or more letters of intent on file at the time the application is either declared complete or submitted for review pursuant to section 306-A, subsection 4, paragraph B, the department expects to receive within the additional 90 days one or more other applications pertaining to similar types of services, facilities or equipment affecting the same health service area. Pertinent health service areas must be defined in rules adopted by the department pursuant to Maine Health Care Agency in accordance with section 312, based on recommendations by the State Health Coordinating Council.

Further amend the bill in Part C in section 19 in the first line (page 27, line 45 in L.D.) by striking out the following: "1995" and inserting in its place the following: '1996'

Further amend the bill in Part C in section 20 in the 2nd line (page 28, line 2 in L.D.) by striking out the following: "1994" and inserting in its place the following: '1995' and in the last line (page 28, line 3 in L.D.) by striking out the following: "1995" and inserting in its place the following: '1996'

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2 Further amend the bill in Part C by renumbering the sections
to read consecutively.

4 Further amend the bill in Part D by striking out all of
section 10 and inserting in its place the following:

6 'Sec. D-10. 22 MRSA §391, as amended by PL 1993, c. 410, Pt.
8 UUU, §1, is repealed.'

10 Further amend the bill in Part D in section 21 in subsection
7 in the last line (page 36, line 12 in L.D.) by striking out the
12 following: "1994" and inserting in its place the following:
'1995'

14 Further amend the bill in Part D in section 21 in subsection
16 8 in the 2nd line (page 36, line 15 in L.D.) by striking out the
following: "1995" and inserting in its place the following:
18 '1996' and in the 3rd line (page 36, line 16 in L.D.) by striking
out the following: "1994" and inserting in its place the
20 following: '1995' and in the 3rd line (page 36, line 16 in L.D.)
by striking out the following: "1995" and inserting in its place
22 the following: '1996'

24 Further amend the bill in Part D in section 22 in the first
line (page 36, line 22 in L.D.) by striking out the following:
26 "1995" and inserting in its place the following: '1996'

28 Further amend the bill in Part D in section 25 in the last
line (page 36, line 35 in L.D.) by striking out the following:
30 "1995" and inserting in its place the following: '1996'

32 Further amend the bill in Part E in section 2 in the last
line (page 37, line 7 in L.D.) by striking out the following:
34 "1994" and inserting in its place the following: '1995'

36 Further amend the bill in Part F in section 1 in that part
designated "~~§2185.~~" in subsection 1 in the 4th line from the end
38 (page 37, line 28 in L.D.) by inserting before "section 372" the
following: 'Title 22.'

40 Further amend the bill in Part F in section 2 in the 2nd
42 line (page 37, line 42 in L.D.) by striking out the following:
"1994" and inserting in its place the following: '1995' and in
44 the 3rd line (page 37, line 43 in L.D.) by striking out the
following: "1994" and inserting in its place the following:
46 '1995'

48 Further amend the bill in Part G in that part designated
"§4365-D." in the first indented paragraph in the 2nd line (page

38, line 23 in L.D.) by striking out the following: "1993" and inserting in its place the following: '1994'

Further amend the bill in Part G in section 2 in that part designated "~~§4365-D.~~" in the 2nd indented paragraph in the 2nd line from the end (page 38, line 31 in L.D.) by striking out the following: "1993" and inserting in its place the following: '1994'

Further amend the bill in Part G in section 2 in that part designated "~~§4365-D.~~" in the 3rd indented paragraph in the 3rd line (page 38, line 36 in L.D.) by striking out the following: "1993" and inserting in its place the following: '1994' and in the last line (page 38, line 39 in L.D.) by striking out the following: "1993" and inserting in its place the following: '1994'

Further amend the bill in Part G in section 2 in that part designated "~~§4365-D.~~" in the last indented paragraph in the 2nd line (page 38, line 42 in L.D.) by striking out the following: "1994" and inserting in its place the following: '1995'

Further amend the bill in Part H in section 2 in the next to the last line (page 39, line 18 in L.D.) by striking out the following: "1996" and inserting in its place the following: '1997'

Further amend the bill in Part H in section 3 in the next to the last line (page 39, line 32 in L.D.) by striking out the following: "1995" and inserting in its place the following: '1996'

Further amend the bill in Part I in section 1 in the 2nd line (page 39, line 38 in L.D.) by striking out the following: "1995" and inserting in its place the following: '1996'

Further amend the bill in Part I in section 2 in the first line (page 39, line 43 in L.D.) by striking out the following: "1994" and inserting in its place the following: '1995'

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

FISCAL NOTE

This bill establishes a universal access health care system operated by a new entity, the Maine Health Care Agency. The fiscal impact of all the changes proposed in this bill and the

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2 additional General Fund appropriations and transfers required to
implement this bill can not be determined.

4 These changes, among others, include the elimination of the
Maine Health Care Finance Commission and its funding source and
6 provides for the transfer of any remaining balance in that fund
to the Maine Health Care Agency. It also provides for the
8 transition of certain Department of Human Services functions and
staff to the Maine Health Care Agency, increases the cigarette
10 tax and dedicates the increase to the Maine Health Care Trust
Fund, provides for a working capital advance and permits the
12 Maine Health Care Agency to establish, by rule, eligibility and
premium requirements. This bill will also indirectly affect the
14 workers' compensation system, insurance premium tax collections
and the state employee health insurance program.'

16
18 **STATEMENT OF FACT**

20 This amendment is the minority report of the Joint Standing
Committee on Banking and Insurance. The amendment adds a fiscal
22 note to the bill. This amendment also conforms existing law to
current drafting standards.