

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

DATE: February 1, 1995

(Filing No. S-6)

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE
SENATE
117TH LEGISLATURE
FIRST REGULAR SESSION

SENATE AMENDMENT "D" to COMMITTEE AMENDMENT "A" to H.P. 120, L.D. 155, Bill, "An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 1995"

Amend the amendment by inserting at the end before the emergency clause the following:

PART I

Sec. I-1. 22 MRSA §3189, sub-§1, as amended by PL 1993, c. 673, §2 and affected by §10, is further amended to read:

1. Program created; intent. The Maine Health Program is created to expand access of Maine citizens to basic health care services. The Maine Health Program is intended to meet, to the extent of available funds, the health care needs of uninsured Maine residents with the highest priority being those needs of residents who are financially needy and under the age of 18. After April July 1, 1995, the Maine Health Program is a privately administered and funded program that may be governed by state law but there is no right or claim of entitlement to health care benefits under state law created by operation of the program.

Sec. I-2. 22 MRSA §3189, sub-§5-A, ¶G, as enacted by PL 1993, c. 673, §4 and affected by §10, is amended to read:

G. The Department of Human Services shall issue a request for proposals to managed care providers including but not limited to health maintenance organizations, hospital

R. 12

SENATE AMENDMENT "D" to COMMITTEE AMENDMENT "A" to H.P. 120,
L.D. 155

2 networks and primary care management organizations to
3 contract on a capitated basis for health care services to
4 current enrollees of the Maine Health Program. The
5 department shall negotiate a contract or contracts by June
6 30, 1994 or as soon as possible after June 30, 1994.

7 The contract or contracts must cover all or part of the
8 period July 1, 1994 to ~~March 31~~ June 30, 1995 and additional
9 persons may not be enrolled during this period. The
10 department shall transfer all enrollees to managed care
11 providers by September 30, 1994, or as soon as possible
12 after September 30, 1994.

13 The department shall seek approval from the federal Health
14 Care Financing Administration for any and all modifications
15 to the adult demonstration project required to carry out
16 this directive. The request for proposals must specify the
17 types and amounts of services to be provided and require an
18 intensive ongoing quality assurance mechanism. If managed
19 care plans are not available in certain areas of the State,
20 enrollees remain in the program administered by the Bureau
21 of Medical Services until managed care becomes available.
22

23 If a contract or contracts can not be negotiated in
24 accordance with the conditions in this paragraph at or below
25 the department's current estimate of per member, per month
26 costs for fiscal year 1994-95, the Maine Health Program
27 terminates.
28

29 **Sec. I-3. 22 MRSA §3189, sub-§8-C**, as amended by PL 1993, c.
30 673, §5 and affected by §10, is further amended to read:

31 **8-C. Legislative intent.** It is the intent of the
32 Legislature that the appropriation for the Maine Health Program
33 end on ~~April 1~~ June 30, 1995.
34

35 **Sec. I-4. 22 MRSA §3189, sub-§13** is enacted to read:

36 13. Fund balances. Any balance remaining on June 30, 1995
37 in the Maine Health Program may not lapse but must be carried
38 forward to June 30, 1996 in order to pay expenses remaining from
39 state fiscal year 1994-95. Any balance remaining on June 30,
40 1996 lapses to the General Fund.
41

42 **Sec. I-5. 22 MRSA §3189-A, sub-§2, ¶¶C and E**, as amended by PL
43 1993, c. 673, §6 and affected by §10, are further amended to read:

44 **C.** The advisory board shall solicit proposals from private
45 entities to administer the Maine Health Program after ~~March~~
46

SENATE AMENDMENT

R. & S.

2 ~~31~~ June 30, 1995. The advisory board shall plan for the
3 transition of program management from the Department of
4 Human Services to a private contractor between August 1,
5 1994 and ~~March 31~~ June 30, 1995. The advisory board has
6 full authority to effect the transition to the private
7 entity, which shall commence administration of the Maine
8 Health Program on ~~April~~ July 1, 1995.

9
10 E. The advisory board shall draft any legislation it
11 determines necessary to govern the Maine Health Program as
12 it will operate after ~~April~~ July 1, 1995 and present it for
13 consideration by the Legislature as soon as practical.

14 **Sec. I-6. Appropriation.** The following funds are appropriated
15 from the General Fund to carry out the purposes of this Act.

16
17
18 **1994-95**

19 **HUMAN SERVICES, DEPARTMENT OF**

20 **Maine Health Program**

21
22 All Other \$392,526

23
24 Provides for the appropriation of funds to
25 continue the Maine Health Program through
26 June 30, 1995. Any unexpended balance may
27 not lapse but may carry forward in
28 accordance with the Maine Revised Statutes,
29 Title 22, section 3189, subsection 13.

30
31 **Sec. I-7. Transfer from Rainy Day Fund.** Notwithstanding any
32 other provision of law, the State Controller is authorized to
33 transfer \$192,526 from the Rainy Day Fund to the General Fund
34 undedicated revenue no later than March 1, 1995.'

35
36 Further amend the amendment by relettering or renumbering
37 any nonconsecutive Part letter or section number to read
38 consecutively.

39
40
41
42 **FISCAL NOTE**

43
44 **1994-95**

45 **APPROPRIATIONS/ALLOCATIONS**

46
47
48 General Fund \$392,526

R. of S.

SENATE AMENDMENT "D" to COMMITTEE AMENDMENT "A" to H.P. 120,
L.D. 155

REVENUES

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30

General Fund \$192,526

This amendment will increase the General Fund cost of the bill by \$392,526 in fiscal year 1994-95. A \$192,526 transfer from the Rainy Day Fund to General Fund undedicated revenue is authorized in fiscal year 1994-95. There is a projected unappropriated surplus balance of over \$220,000 so that a balanced General Fund budget is maintained.

STATEMENT OF FACT

This amendment delays the termination of the Maine Health Program from April 1, 1995 to June 30, 1995 and provides a General Fund appropriation to support the additional costs. Funding for the General Fund appropriation is provided by transferring available funds from the Rainy Day Fund in fiscal year 1994-95 and from a projected unappropriated surplus balance.



SPONSORED BY:
(Senator FAIRCLOTH)

COUNTY: Penobscot