

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

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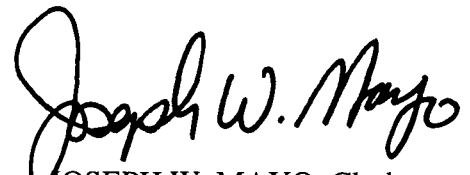
H.P. 271

House of Representatives, January 31, 1995

An Act Relating to the Maine Health Program.

(EMERGENCY)

Reported by Representative POULIOT for the Joint Standing Committee on Appropriations and Financial Affairs pursuant to Joint Order H.P. 184.


JOSEPH W. MAYO, Clerk

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

4 Whereas, the 90-day period will not terminate until after
6 the beginning of the next fiscal year; and

8 Whereas, the Maine Health Program is scheduled to terminate
April 1, 1995; and

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

16 **Be it enacted by the People of the State of Maine as follows:**

18 **Sec. 1. 22 MRSA §3189, sub-§1**, as amended by PL 1993, c. 673,
20 §2 and affected by §10, is further amended to read:

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

32 **Sec. 2. 22 MRSA §3189, sub-§5-A, ¶G**, as enacted by PL 1993, c.
34 673, §4 and affected by §10, is amended to read:

36 G. The Department of Human Services shall issue a request
for proposals to managed care providers including but not
38 limited to health maintenance organizations, hospital
networks and primary care management organizations to
40 contract on a capitated basis for health care services to
current enrollees of the Maine Health Program. The
42 department shall negotiate a contract or contracts by June
30, 1994 or as soon as possible after June 30, 1994.

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

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

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

18 **Sec. 3. 22 MRSA §3189, sub-§8-C,** as amended by PL 1993, c.
20 673, §5 and affected by §10, is further amended to read:

22 **8-C. Legislative intent.** It is the intent of the
24 Legislature that the appropriation for the Maine Health Program
end on ~~April 1~~ June 30, 1995.

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

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

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

36 C. The advisory board shall solicit proposals from private
38 entities to administer the Maine Health Program after ~~March~~
40 ~~31~~ June 30, 1995. The advisory board shall plan for the
42 transition of program management from the Department of
44 Human Services to a private contractor between August 1,
1994 and ~~March 31~~ June 30, 1995. The advisory board has
full authority to effect the transition to the private
entity, which shall commence administration of the Maine
Health Program on ~~April~~ July 1, 1995.

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

