

MAINE STATE LEGISLATURE

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HUMAN RESOURCES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
117TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1291, L.D. 1773, Bill, "An Act to Ensure the Continued Stability of Services for Persons with Mental Retardation"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 34-B MRSA §5481 is enacted to read:

§5481. Rates for fee-for-service programs

1. Agencies providing service. Beginning July 1, 1996, all rates for fee-for-service or grant-in-aid programs paid by the Department of Mental Health, Mental Retardation and Substance Abuse Services to private agencies providing services to individuals with mental retardation must consist of 2 parts.

A. The first part of the rate must be based upon negotiations between the department and the individual agency for projected costs to provide that service.

B. The 2nd part of the rate must reflect reimbursement for any increase in the cost of workers' compensation insurance over the cost in fiscal year 1995-96. This 2nd part must be adjusted annually upon renewal of the insurance. In this second part, providers that receive an experience modification rating of less than 1.0 must be paid 1/2 of any

cost decrease attributable to their having received that experience rating. Providers that receive experience modification ratings between 1.0 and 1.39 and have loss prevention plans in place must be paid the full amount of any cost increase. Providers that receive experience modification ratings of 1.4 or greater and have loss prevention plans in place must be paid 1/2 of the cost increase.

Sec. 2. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1996-97

MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES, DEPARTMENT OF

Medicaid Services - Mental Retardation

All Other \$156,000

Appropriates funds to support the net increase in the cost of workers' compensation insurance for certain agencies.

Mental Retardation Services - Community

All Other \$9,000

Appropriates funds to support the net increase in the cost of workers' compensation insurance for certain agencies.

DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES

TOTAL \$165,000'

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

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FISCAL NOTE

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1996-97

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APPROPRIATIONS/ALLOCATIONS

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General Fund

\$165,000

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This bill includes a General Fund appropriation of \$165,000 in fiscal year 1996-97 to the Department of Mental Health, Mental Retardation and Substance Abuse Services to support the unbudgeted increase in the cost of workers' compensation insurance for certain agencies that provide services to people with mental retardation. The actual amount required may vary from this estimate of the cost, depending on the actual experience of these agencies.'

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SUMMARY

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This amendment removes from the bill the provisions requiring the Department of Mental Health, Mental Retardation and Substance Abuse Services to ensure that private agencies providing mental retardation services under contract have loss prevention programs in place. It removes the portion of the bill requiring a report on special classifications for workers' compensation insurance. It adds reimbursement criteria that depend on an agency's workers' compensation experience modification rating and that provide incentives to provide a safe workplace.

The amendment also adds an appropriation and a fiscal note.