

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 1684

S.P. 558

In Senate, March 27, 1997

**Resolve, to Establish a Pilot Project Voucher System for Nursing
Facility Level Care Reimbursement under the Medicaid Program.**

(EMERGENCY)

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BENNETT of Oxford.
Cosponsored by Representative FULLER of Manchester and
Senators: MITCHELL of Penobscot, PARADIS of Aroostook, Representatives: BERRY of
Belmont, BROOKS of Winterport, LOVETT of Scarborough, MITCHELL of Portland,
QUINT of Portland, SNOWE-MELLO of Poland.

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

4 **Whereas,** the long-term care system is expensive, inflexible
6 and difficult for consumers and citizens to understand and for
consumers to access; and

8 **Whereas,** each day that passes without resolution of the
10 issues in long-term care results in hardship and very high
expense to the people of the State; and

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

18 **Sec. 1. Voucher system. Resolved:** That, by January 1, 1998,
20 the Department of Human Services shall apply for a waiver from
the federal Health Care Finance Administration to establish no
22 more than 2 voucher demonstration projects for the provision of
housing and services for elderly persons and adults with
24 disabilities requiring long-term care who are determined to be
financially and medically qualified for reimbursement for those
26 services through the Medicaid program. The voucher system must
be a voluntary program for consumers in the demonstration areas
28 and must operate under the following principles:

30 1. Consumers must be able to choose appropriate housing and
services when independent assessors and advisors provide
32 information on the options available in the consumers'
communities to consumers and when appropriate to their families;

34 2. Housing and services needed by consumers of long-term
36 care services may be provided and purchased in flexible
arrangements from a number of different providers, with licensing
38 required of those whom the department now licenses;

40 3. Given flexibility, consumers will design care packages
that are cost-effective and provide the services they need; and

42 4. Consumers, providers of long-term care services, payors
44 and regulators will receive adequate education and training to
prepare all parties to make informed decisions to share the risks
46 and responsibilities attendant to a voucher system.

48 By July 1, 1997, the department shall establish a working
group to provide advice to the Commissioner of Human Services and
50 the Director of the Bureau of Elder and Adult Services in the

2 design and selection of the demonstration projects and sites.
3 The membership of the advisory group must be made up of
4 individuals having an interest in and affected by the proposed
5 demonstration projects.

6 The demonstration projects must begin operation within 90
7 days of the date the department receives the necessary federal
8 waiver and must continue for a minimum of 2 years. The
9 department shall report to the Governor and the Legislature on
10 the progress of the demonstration projects on January 1, 1998 and
11 January 1, 1999.

12 **Emergency clause.** In view of the emergency cited in the
13 preamble, this resolve takes effect when approved.

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16 **SUMMARY**

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18 This resolve directs the Department of Human Services to
19 apply for a waiver to establish demonstration projects to provide
20 long-term care services, health care and housing in flexible
21 arrangements from a number of providers. It requires the
22 establishment of a working group to advise the department. The
23 demonstration projects are designed to increase choice and
24 control for consumers of long-term care services and housing.
25 They will operate for a minimum of 2 years. Reports are due to
26 the Governor and the Legislature on January 1, 1998 and January
27 1, 1999.
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