

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1998

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Legislative Document

No. 2060

H.P. 1469

House of Representatives, January 15, 1998

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**An Act to Consolidate the Administration of Home Health Services.**

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

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

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative QUINT of Portland.  
Cosponsored by Senator MITCHELL of Penobscot and  
Representatives: COWGER of Hallowell, DONNELLY of Presque Isle, MITCHELL of  
Portland, SAXL of Portland, TOWNSEND of Portland, Senator: PARADIS of Aroostook.

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

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4       **Sec. 1. 22 MRSA §5106, sub-§14**, as amended by PL 1989, c. 329,  
§16, is further amended to read:

6       **14. Establish and maintain an office.** Establish and  
maintain an office; and

8  
10       **Sec. 2. 22 MRSA §5106, sub-§15**, as enacted by PL 1973, c. 793,  
§6, is amended to read:

12       **15. Duties.** Do such other acts and exercise such other  
powers necessary or convenient to execute and carry out the  
14 purposes and authority expressly granted in this Part; and

16       **Sec. 3. 22 MRSA §5106, sub-§16** is enacted to read:

18       **16. Home health services.** Beginning January 1, 1999,  
administer home health services and personal care assistance  
20 under Title 26, chapter 19, subchapter II.

22  
24       **Sec. 4. 26 MRSA §1411-D, sub§§8 and 9**, as enacted by PL 1995,  
c. 560, Pt. F, §13, are amended to read:

26       **8. Eligibility and priority.** Shall determine the  
eligibility of individuals for rehabilitation services or  
28 evaluation and vocational services and the priority for those  
services in accordance with rules established by the department;  
30 and

32       **9. Transitional services coordination projects.** Shall  
participate in the coordination of rehabilitation services with  
34 local transitional services coordination projects for youth with  
disabilities, as established in Title 20-A, chapter 308,  
36 assigning appropriate regional staff and resources as available  
and necessary in each region to be served by a project; and

38       **Sec. 5. 26 MRSA §1411-D, sub-§10** is enacted to read:

40       **10. Coordination of home health services.** Shall provide  
42 that, beginning January 1, 1999, home health services and  
personal care assistance provided under this subchapter must be  
44 administered by the Department of Human Services, Bureau of Elder  
and Adult Services.

46  
48       **Sec. 6. Cooperation; plan.** The Commissioner of Labor and the  
Commissioner of Human Services shall examine the policies and  
procedures of the 2 departments in the provision of home health  
50 services, including rates of reimbursement, copayments, eligible

2 providers and covered services. The commissioners shall develop  
and implement a plan providing for administration by the  
4 Department of Human Services Administration of home health  
services provided under the Maine Revised Statutes, Title 22 and  
6 Title 26. The plan must provide for administrative efficiency,  
eliminate overlapping of services, promote fairness and  
8 consistency and establish a standard reimbursement rate for  
personal care assistance services. The commissioners shall  
submit their plan, including any necessary implementing  
10 legislation, to the Joint Standing Committee on Health and Human  
Services and the Joint Standing Committee on Labor no later than  
12 December 1, 1998.

14 **Sec. 7. Effective date.** Those sections of this Act that amend  
the Maine Revised Statutes, Title 22, section 5106, subsections  
16 14 and 15 and Title 26, section 1411-D, subsections 8 and 9, and  
that enact Title 22, section 5106, subsection 16 and Title 26,  
18 section 1411-D, subsection 10 take effect January 1, 1999.

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## SUMMARY

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This bill consolidates the administration of home health  
24 services in the Department of Human Services, Bureau of Elder and  
Adult Services. The bill also directs the bureau to establish a  
26 standard reimbursement rate for personal care assistance services.

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