

MAINE STATE LEGISLATURE

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M
R.S.

L.D. 1322

DATE: 4/8/2000

(Filing No. S-678)

HEALTH AND HUMAN SERVICES

Reported by:

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**STATE OF MAINE
SENATE
119TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 447, L.D. 1322, Bill, "An Act to Ensure the Availability of Home-based Care"

Amend the bill by striking out the title and substituting the following:

'An Act to Ensure the Provision of Long-term Care Services'

Further amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 22 MRSA §7309 is enacted to read:

§7309. Budget matters

1. Transfer of surplus. In all fiscal years beginning with 1999-2000, in accordance with Title 5, section 1585, the department shall transfer any funds unexpended and not obligated in the appropriation account entitled "Department of Human Services, Medical Care - Payments to Providers, Nursing Facilities - Medicaid" on June 30th of any year to another long-term care account or accounts, as provided in this subsection. The long-term care account or accounts into which the funds are transferred must be determined in the following order of priority of accounts for:

A. Home care services and homemaker, adult day care and caregiver respite services in an amount up to the amount that is required to fund those services for persons on waiting lists on June 1st of that year;

COMMITTEE AMENDMENT

R. S.

COMMITTEE AMENDMENT "A" to S.P. 447, L.D. 1322

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B. Consumer-directed attendant services; and

C. Residential services and assisted living for elderly and disabled adults.

2. Report. By February 1st each year, the department shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters on the status of waiting lists for home-based and community-based long-term care services. The report must project figures for the waiting lists for the following July 1st and January 1st of each year. The report must include cost estimates for funding appropriate services for all persons on the waiting lists and projected to be on the waiting lists for July 1st and January 1st of each year. The report must compare these cost estimates with the amounts submitted by the Governor in the proposed state budget.'

Further amend the bill by inserting at the end before the summary the following:

FISCAL NOTE

This bill authorizes the Department of Human Services to transfer funds that are not expended in the Medical Care - Payments to Providers program and the Nursing Facilities program at the end of each fiscal year, beginning in fiscal year 1999-00, to other long-term care accounts in the department. If these funds are not available to cover potential unanticipated shortfalls, the Department of Human Services may require additional General Fund appropriations for these two programs.

The Department of Human Services will incur minor additional costs to submit the required report. These costs can be absorbed within the department's existing budgeted resources.'

SUMMARY

This amendment replaces the bill and changes the title. It requires the annual transfer of unused funds in the nursing facilities long-term care account to home-based and community-based, residential care and assisted-living programs. It requires an annual report from the Department of Human Services to provide information on home-based and community-based care waiting lists, funding required for those lists and the Governor's proposed state budget.