

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1408

S.P. 469

In Senate, February 18, 1999

An Act to Increase Reimbursement for Hands-on Care to Nursing Home Residents.

(EMERGENCY)

Reference to the Committee on Appropriations and Financial Affairs 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 PINGREE of Knox.
Cosponsored by Representative LOVETT of Scarborough and
Representatives: BERRY of Livermore, DUGAY of Cherryfield, KNEELAND of Easton.

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

4
6 **Whereas,** there is ample evidence that nursing facilities are
not hiring and retaining adequate numbers of licensed nurses,
nursing assistants and personal care attendants, and that
8 residents are endangered; and

10 **Whereas,** the understaffing of nursing facilities is
attributed in part to inadequate Medicaid reimbursement, which is
12 currently calculated based on outdated cost information from
1993; and

14
16 **Whereas,** additional funds are needed in order for the
Department of Human Services to provide adequate reimbursement to
nursing facilities for direct care to residents; and these funds
18 will enable the department to revise its principles of
reimbursement to nursing facilities to increase reimbursement
20 under the direct-care cost component to reflect higher costs
borne by facilities in recent years based on audited costs
22 reports from facilities in fiscal year 1996; and

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

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

32 **Sec. 1. Appropriation.** The following funds are appropriated
from the General Fund to carry out the purposes of this Act.

	1999-00	2000-01
HUMAN SERVICES, DEPARTMENT OF		
Nursing Facilities		
All Other	\$2,100,000	\$2,100,000
Provides funds to increase 44 Medicaid reimbursement to nursing facilities through 46 the direct-care cost component under the 48 department's principles of		

2 reimbursement to nursing
facilities.

4 **Sec. 2. Allocation.** The following funds are allocated from the
Federal Expenditures Fund for the fiscal years ending June 30,
6 2000 and June 30, 2001 to carry out the purposes of this Act.

8 1999-00 2000-01

10 **HUMAN SERVICES, DEPARTMENT OF**

12 **Nursing Facilities**

14 All Other \$4,200,000 \$4,200,000

16 **Emergency clause.** In view of the emergency cited in the
preamble, this Act takes effect when approved.

18

20 **SUMMARY**

22 This bill appropriates \$2,100,000 from the General Fund for
each of the fiscal years 1999-00 and 2000-01 to the Department of
24 Human Services, Bureau of Medical Services, Nursing Facilities
program for the purpose of allowing the department to increase
26 reimbursement to nursing facilities for hands-on services to
residents. This appropriation will allow facilities to hire and
28 retain staff sufficient to meet the needs of residents. The bill
also makes companion allocations from the Federal Expenditures
30 Fund.