

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1477

S.P. 492

In Senate, February 23, 1999

An Act to Promote Healthy Maine Families.

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 PINGREE of Knox.
Cosponsored by Representative KANE of Saco and
Senators: CATHCART of Penobscot, GOLDTHWAIT of Hancock, MILLS of Somerset,
PARADIS of Aroostook, Representatives: BERRY of Livermore, FULLER of Manchester,
POWERS of Rockport, TOWNSEND of Portland.

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

2 **Sec. 1. 22 MRSA §3174-G**, as amended by PL 1997, c. 777, Pt.
4 A, §1, is further amended to read:

6 **§3174-G. Medicaid coverage of certain elderly and disabled**
 individuals, children, their parents or caretaker
8 **relative and pregnant women**

10 **1. Delivery of services.** The department shall provide for
12 the delivery of federally approved Medicaid services to qualified
14 pregnant women up to 60 days following delivery and infants up to
16 one year of age when the woman's or child's family income is
18 below 185% of the nonfarm income official poverty line, qualified
20 elderly and disabled persons when the person's family income is
22 below 100% of the nonfarm income official poverty line and
24 children one year of age or older and under 19 years of age when
26 the family income is below 150% of the nonfarm income official
28 poverty line. The department also shall provide for the delivery
30 of federally approved Medicaid services to the parents or
32 caretaker relative of children described in this subsection when
 the family income is below 150% of the nonfarm income official
 poverty line. To the extent that federal matching funds are
 available, the department shall provide federally approved
 Medicaid services to the parents or caretaker relative of
 children when the family income is below 185% of the nonfarm
 income official poverty line. The official poverty line is that
applicable to a family of the size involved, as defined by the
Federal Office of Management and Budget and revised annually in
accordance with the United States Omnibus Budget Reconciliation
Act of 1981, Section 673, Subsection 2.

34 **1-A. Elderly prescription drug program.** The department
36 shall apply to the federal Health Care Financing Administration
38 for a waiver to provide Medicaid prescription drug benefits to
40 qualified persons 62 years of age or older. The department must
42 seek the highest income level for which the department is able to
44 obtain federal approval. The department shall limit the state
46 share of program costs to the General Fund amounts available to
48 the department from appropriations to the Low Cost Drugs for
50 Maine's Elderly program and funds received pursuant to section
3174-R. The department shall pursue this waiver in the manner
most likely to receive federal approval, including packaging this
request in a larger waiver request with other Medicaid
initiatives for which the department must seek a waiver of any
type or another form of approval from the federal Health Care
Financing Administration. The waiver request required by this
subsection must be submitted to the federal Health Care Financing
Administration no later than January 1, 1999. The department
shall report its progress in obtaining the waiver to the Joint

2 Standing Committee on Appropriations and Financial Affairs and
the Joint Standing Committee on Health and Human Services no
4 later than October 1, 1998. The department shall submit
legislation to provide coverage under this section prior to
6 providing such coverage.

8 **2. Resource test.** The department may not apply a resource
test to those children and pregnant women who are made eligible
10 under this section, unless these persons also receive Temporary
Assistance for Needy Families or United States Supplemental
12 Security Income benefits.

14 **3. Benefits authorized.** The scope of medical assistance to
be provided within this section shall must be that authorized by
16 the Federal Sixth Omnibus Budget Reconciliation Act, Public Law
99-509.

18 SUMMARY

20 This bill extends Medicaid coverage to the parents or the
22 caretaker relative of those children who are eligible for the
Maine Medicaid program if their family income is below 150% of
24 the nonfarm income official poverty line. Eligibility is
increased up to 185% of the nonfarm income official poverty line
26 when nonfarm income official matching funds become available.