

MAINE STATE LEGISLATURE

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APPROPRIATIONS AND FINANCIAL AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1818, L.D. 2552, Bill, "An Act to Allocate from the Fund for a Healthy Maine"

Amend the bill by striking out everything after the title and before the summary and inserting in its place the following:

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

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, this legislation seeks to address immediate health care needs with funds that are available for those purposes; and

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

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

PART A

Sec. A-1. PL 1999, c. 401, Pt. U, §3, Pt. HH, §2 and Pt. KKK, §8 are repealed.

Sec. A-2. PL 1999, c. 515, Pt. A, §2, Pt. B, §§2 and 3 and Pt. C, §§3 and 4 are repealed.

2

PART B

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Sec. B-1. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

6

8

2000-01

10

HUMAN SERVICES, DEPARTMENT OF

12

Bureau of Health

14

All Other \$8,650,000

16

Provides funds from the Fund for a Healthy Maine for grants to communities and schools with statewide coordination to achieve the goal of reducing tobacco addiction and use and resulting disease in all populations throughout the State, with a focus on those at highest risk such as youth and disadvantaged populations.

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Bureau of Health

32

All Other \$1,400,000

34

Provides funds from the Fund for a Healthy Maine for independent program evaluation, research and outcomes monitoring.

36

38

40

Bureau of Health

42

All Other \$7,250,000

44

Provides funds from the Fund for a Healthy Maine for statewide tobacco cessation and prevention through the operation of a statewide toll-free telephone support line, training and

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COMMITTEE AMENDMENT "A" to H.P. 1818, L.D. 2552

2 certification of tobacco
cessation specialists, direct
4 assistance for smoking
cessation services and
6 pharmaceuticals as well as a
statewide multimedia campaign.

8 **Bureau of Health**

10	Positions - Legislative Count	(5.000)
	Personal Services	\$201,011
12	All Other	25,000
14	TOTAL	<hr/> \$226,011

16 Provides funds from the Fund
for a Healthy Maine for 5
18 positions to the Bureau of
Health for administering the
20 programs funded in this
Part: one Comprehensive
22 Health Planner II position; 3
Public Health Educator III
24 positions; and one Accountant
I position.

26

28 **DEPARTMENT OF HUMAN
SERVICES
TOTAL**

\$17,526,011

30

32 **Sec. B-2. Grants provided.** Grants provided pursuant to this
Part must be equitably distributed across the major geographical
34 areas of the State. Effective interventions must be implemented
using research and best practices from the federal Centers for
36 Disease Control and Prevention and other recognized authorities.
All grantees must coordinate with the local health care delivery
38 system, education system and other appropriate community members
and community organizations. Funds may also be used to reduce
40 physical inactivity, poor nutrition and other risk factors in
order to reduce tobacco-related diseases. School programs funded
42 by grants provided pursuant to this Part must be used to reduce
tobacco use through coordinated school health programs. These
44 school health programs should focus on comprehensive school
health education that includes tobacco prevention education.
Support may be provided for school health services that include
46 tobacco cessation and prevention services.

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PART C

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R. O. S.

COMMITTEE AMENDMENT "A" to H.P. 1818, L.D. 2552

2 children or children whose
insurance does not cover such
4 services. Balances
appropriated for this purpose
do not lapse.

6 **Office of Substance Abuse**

8 All Other \$500,000

10 Provides one-time funds from
12 the Fund for a Healthy Maine
to provide access to
14 substance abuse treatment
services for uninsured adults
16 or adults whose insurance
does not cover such
18 services. Balances
appropriated for this purpose
do not lapse.

22 **Office of Substance Abuse**

24 All Other \$243,250

26 Provides one-time funds from
the Fund for a Healthy Maine
28 to support start-up costs for
a substance abuse treatment
30 facility for youth in
northern Maine.

32 **Office of Substance Abuse**

34 All Other \$243,250

36 Provides one-time funds from
38 the Fund for a Healthy Maine
to support start-up costs for
40 a substance abuse treatment
facility for women in
42 northern Maine.

44 **Office of Substance Abuse**

46 All Other \$1,960,000

48 Provides one-time funds from
the Fund for a Healthy Maine
50 to support start-up costs for

2 provision of substance abuse
3 services in underserved
4 geographic areas and for
5 underserved populations
6 according to a needs
7 assessment.

8 **Office of Substance Abuse**

10 All Other \$5,000,000

12 Provides funds from the Fund
13 for a Healthy Maine to help
14 implement the November 18,
15 1998 recommendations of the
16 Task Force on Substance Abuse.

18 **Office of Substance Abuse -
19 Court-related**

20 All Other \$1,000,000

22 Provides funds from the Fund
23 for a Healthy Maine to
24 provide substance abuse
25 testing and treatment to
26 adults with substance abuse
27 problems who have been
28 referred by the State's
29 courts. The department must
30 consult with the judicial
31 branch so as to expend these
32 funds in a manner consistent
33 with rules developed by the
34 Judicial Department.

36 **Office of Substance Abuse**

38 All Other \$1,470,000

40 Provides one-time funds from
41 the Fund for a Healthy Maine
42 to support facility and
43 equipment improvements
44 related to health, safety and
45 capacity building according
46 to an objective needs
47 assessment.

50 **DEPARTMENT OF MENTAL HEALTH, MENTAL**

2 **RETARDATION AND SUBSTANCE ABUSE**
3 **SERVICES**
4 **TOTAL**

\$10,916,500

6 **PART E**

8 **Sec. E-1. 22 MRSA §3174-G, sub-§1-B**, as enacted by PL 1999, c.
10 401, Pt. KKK, §3 and affected by §10, is amended to read:

12 **1-B. Funding.** State funds necessary to implement
14 subsection 1-A must include state funds appropriated to the
16 elderly low-cost drug program operated pursuant to section 254,
18 including rebates received in that program from pharmaceutical
20 manufacturers, that are no longer needed in that program as a
result of the Medicaid waiver obtained pursuant to subsection
1-A; and, effective in fiscal year 2000-01, no less than
\$5,000,000 \$10,000,000 received from the tobacco settlement in
State of Maine, v. Philip Morris, et al., Kennebec County
Superior Court, Docket No. CV-97-134.

22 **Sec. E-2. Allocation.** The following funds are allocated from
24 Other Special Revenue funds to carry out the purposes of this
Part.

26 **2000-01**

28 **HUMAN SERVICES,**
30 **DEPARTMENT OF**

32 **Medical Care - Payments to Providers**

34 All Other \$10,000,000

36 Provides funding from the Fund for a Healthy
38 Maine for the State's share to expand
40 coverage under the elderly prescription drug
program contingent upon receipt of the
federal waiver pursuant to the Maine Revised
Statutes, Title 22, section 3174-G,
subsection 1-A.

42 **Sec. E-3. Contingent allocation.** Notwithstanding the allocation
44 made in section 2 of this Part regarding the State's share of
46 coverage for expansion of the elderly prescription drug program,
beginning July 1, 2000 and every 3 months thereafter, if the
48 federal waiver has not been obtained, then 1/4 of the funds
allocated for the State's match for that fiscal year must be used
50 to expand the categories of illnesses covered under the elderly
low-cost drug program conducted pursuant to the Maine Revised

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2 Statutes, Title 22, section 254. Notwithstanding Title 22,
3 section 254, the department must, in consultation with the
4 Medicaid Advisory Committee, use the funds in a manner that
5 targets the greatest benefit to those with the greatest need.

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PART F

9 **Sec. F-1. Allocation.** The following funds are allocated from
10 Other Special Revenue funds to carry out the purposes of this
11 Part.

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2000-01

15 **HUMAN SERVICES,**
16 **DEPARTMENT OF**

17 **Bureau of Health**

18 All Other \$5,000,000

19 Provides funds from the Fund
20 for a Healthy Maine to expand
21 home-visiting services to the
22 parents of newborn children.

23 **Bureau of Health**

24 All Other \$1,323,000

25 Provides one-time funds from
26 the Fund for a Healthy Maine
27 to support training and
28 education for persons who
29 will provide and administer
30 home-visiting services to the
31 parents of newborn children.
32 This may include instruction
33 on maximizing Medicaid and
34 other funding sources and
35 equipment to enable
36 connection with statewide
37 evaluation efforts.

38 **Bureau of Health**

39 All Other \$50,000

40 Provides one-time funds from
41 the Fund for a Healthy Maine

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R. of S.

COMMITTEE AMENDMENT "A" to H.P. 1818, L.D. 2552

2 to evaluate the effectiveness
of home-visiting services as
4 recommended by the Business
Advisory Commission on
6 Quality Child Care Financing
established in Resolve 1999,
chapter 66.

8
10 **DEPARTMENT OF HUMAN SERVICES**
TOTAL \$6,373,000

12 **PART G**

14 **Sec. G-1. Allocation.** The following funds are allocated from
16 Other Special Revenue funds to carry out the purposes of this
Part.

18 **2000-01**

20 **HUMAN SERVICES, DEPARTMENT OF**

22 **Purchased Social Services**

24 All Other \$50,000

26 Provides one-time funds from
28 the Fund for a Healthy Maine
to gather and analyze
30 market-rate data, provider
wage surveys and other
32 relevant data to evaluate
quality, accessibility and
34 affordability of child care
in Maine as recommended by
36 the Business Advisory
Commission on Quality Child
38 Care Financing established in
Resolve 1999, chapter 66.

40 **Purchased Social Services**

42 All Other \$50,000

44 Provides one-time funds from
46 the Fund for a Healthy Maine
to perform an assessment of
48 the need for staff training
and facilities and equipment
50 improvement in child care

R. 15.

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2 programs in Maine in order to
assist the Bureau of Health
4 in implementing this Part.

Purchased Social Services

6 All Other \$2,304,175

8 Provides one-time funds from
10 the Fund for a Healthy Maine
12 to support staff training
14 according to the needs
16 identified by the assessment
performed pursuant to this
Part.

Purchased Social Services

18 All Other \$2,304,175

20 Provides one-time funds from
22 the Fund for a Healthy Maine
24 to support health-related and
26 safety-related facility and
equipment improvements
according to the needs
28 identified by the assessment
performed pursuant to this
Part.

Purchased Social Services

32 All Other \$2,304,175

34 Provides one-time funds from
36 the Fund for a Healthy Maine
38 to support
capacity-building-related
40 facility and equipment
improvements according to the
42 needs identified by the
assessment performed pursuant
to this Part.

Purchased Social Services

46 All Other \$197,780

48 Provides one-time funds from
50 the Fund for a Healthy Maine

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COMMITTEE AMENDMENT "A" to H.P. 1818, L.D. 2552

2 to support collaboration
grants as recommended by the
4 Business Advisory Commission
on Quality Child Care
6 Financing established in
Resolve 1999, chapter 66.

8 **Purchased Social Services**

10 All Other \$50,000

12 Provides funds from the Fund
for a Healthy Maine to
14 support collaboration grants
as recommended by the
16 Business Advisory Commission
on Quality Child Care
18 Financing established in
Resolve 1999, chapter 66.

20 **Purchased Social Services**

22 All Other \$50,000

24 Provides one-time funds from
the Fund for a Healthy Maine
26 to support data collection in
child care services as
28 recommended by the Business
Advisory Commission on
30 Quality Child Care Financing
32 established in Resolve 1999,
chapter 66.

34 **Purchased Social Services**

36 All Other \$2,684,046

38 Provides funds from the Fund
40 for a Healthy Maine for
additional infant, toddler
42 and preschool child care
subsidies.

44 **Purchased Social Services**

46 All Other \$1,234,649

48 Provides funds from the Fund
50 for a Healthy Maine for

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2 additional school-aged child
care subsidies.

4 **Purchased Social Services**

6 All Other \$673,200

8 Provides funds from the Fund
10 for a Healthy Maine for
12 after-school services to the
12-to-15-year age group.

14 **Purchased Social Services**

16 All Other \$1,850,157

18 Provides funds from the Fund
20 for a Healthy Maine to
22 support incentives for child
care providers to offer care
during odd hours, in
underserved geographic areas,
to at-risk children or to
children with special needs.

26 **Purchased Social Services**

28 All Other \$504,900

30 Provides funds from the Fund
32 for a Healthy Maine to
support child care resource
development centers.

34 **Purchased Social Services**

36 All Other \$278,758

38 Provides funds from the Fund
40 for a Healthy Maine to
42 support systemic quality
improvements such as
44 increased wages, training and
facilities improvements.

46 **Head Start**

48 All Other \$470,621

50 Provides funds from the Fund
for a Healthy Maine to

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COMMITTEE AMENDMENT "A" to H.P. 1818, L.D. 2552

2 support full-day, year-round
3 Head Start programs,
4 including children up to 5
5 years of age.

6 **Community Services Center**

8	Positions - Legislative Count	(10,000)
	Personal Services	\$406,468
10	All Other	45,000
12	TOTAL	<u>\$451,468</u>

14 Provides funds from the Fund
15 for a Healthy Maine for one
16 Social Services Program
17 Specialist II position, 4
18 Social Services Program
19 Specialist I positions, one
20 Auditor III position, 3
21 Auditor II positions and one
22 Clerk Typist III position to
23 provide additional support to
24 the Community Services Center.

26 **DEPARTMENT OF HUMAN SERVICES**
27 **TOTAL**

\$15,458,104

28 **PUBLIC SAFETY,**
29 **DEPARTMENT OF**

30 **Fire Marshal - Office of**

34	Positions - Legislative Count	(3,500)
	Personal Services	\$131,968
36	All Other	19,000

38 Provides funds from the Fund
39 for a Healthy Maine for 3
40 additional Fire Inspector
41 positions and a 1/2-time
42 Clerk Typist II position for
43 the purpose of conducting
44 mandatory inspections of
45 facilities that provide
46 services to children.

48 **DEPARTMENT OF PUBLIC SAFETY**
49 **TOTAL**

\$150,968

50 **SECTION**

COMMITTEE AMENDMENT

R. S.

COMMITTEE AMENDMENT "A" to H.P. 1818, L.D. 2552

TOTAL ALLOCATIONS

\$15,609,072

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PART H

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Sec. H-1. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

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8

2000-01

10

FINANCE AUTHORITY OF MAINE

12

Quality Child Care Education Scholarship Fund

14

16

All Other

\$150,000

18

Provides funds from the Fund for a Healthy Maine for scholarships under the Quality Child Care Education Scholarship Fund pursuant to the Maine Revised Statutes, Title 20-A, chapter 419-D.

20

22

24

PART I

26

Sec. I-1. 22 MRSA §3174-G, sub-§1, as amended by PL 1997, c. 777, Pt. A, §1, is repealed and the following enacted in its place:

28

30

1. Delivery of services. The department shall provide for the delivery of federally approved Medicaid services to the following persons:

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34

A. A qualified woman during her pregnancy and up to 60 days following delivery when the woman's family income is equal to or below 185% of the nonfarm income official poverty line;

36

38

B. An infant under one year of age when the infant's family income is equal to or below 185% of the nonfarm income official poverty line;

40

42

C. A qualified elderly or disabled person when the person's family income is equal to or below 100% of the nonfarm income official poverty line;

44

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D. A child one year of age or older and under 19 years of age when the child's family income is equal to or below 150% of the nonfarm income official poverty line; and

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COMMITTEE AMENDMENT "A" to H.P. 1818, L.D. 2552

2 E. The parent or caretaker relative of a child described in
4 paragraph B or D when the child's family income is equal to
6 or below 150% of the nonfarm income official poverty line,
8 subject to adjustment by the commissioner under this
10 paragraph. Medicaid services provided under this paragraph
12 must be provided within the limits of the program budget.
14 Funds appropriated for services under this paragraph must
16 include an annual inflationary adjustment equivalent to the
18 rate of inflation in the Medicaid program. On a quarterly
20 basis, the commissioner shall determine the fiscal status of
22 program expenditures under this paragraph. If the
24 commissioner determines that expenditures will exceed the
 funds available to provide Medicaid coverage pursuant to
 this paragraph, the commissioner must adjust the income
 eligibility limit for new applicants to the extent necessary
 to operate the program within the program budget. If, after
 an adjustment has occurred pursuant to this paragraph,
 expenditures fall below the program budget, the commissioner
 must raise the income eligibility limit to the extent
 necessary to provide services to as many eligible persons as
 possible within the fiscal constraints of the program
 budget, as long as the income limit does not exceed 150% of
 the nonfarm income official poverty line.

26 For the purposes of this subsection, the "nonfarm income official
28 poverty line" is that applicable to a family of the size
30 involved, as defined by the federal Department of Health and
32 Human Services and updated annually in the Federal Register under
 authority of 42 United States Code, Section 9902(2). For
 purposes of this subsection, "program budget" means the amounts
 available from both federal and state sources to provide
 federally approved Medicaid services.

34 **Sec. I-2. 22 MRSA §3762, sub-§8, ¶A, as amended by PL 1997, c.**
36 **795, §7, is further amended to read:**

38 A. The department shall administer a program of
40 transitional Medicaid to families receiving benefits under
 Section 1931 of the federal Social Security Act in
 accordance with this paragraph.

42 (1) The department shall provide transitional Medicaid
44 to families whose average gross monthly earnings, less
46 costs to the family for child care necessary for
48 employment, do not exceed 185% of the federal poverty
 guidelines in accordance with PRWORA and this
 subsection. In order to receive transitional Medicaid
 as the result of increased earnings or number of hours
 worked, a family must have received TANF Medicaid

H. 48.

COMMITTEE AMENDMENT "A" to H.P. 1818, L.D. 2552

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assistance for at least 3 of the last 6 months, except as provided in subparagraph 2 (2).

(2) The department shall provide transitional Medicaid for families whose eligibility for TANF Medicaid assistance terminated due to employment obtained through work search activities pursuant to this chapter, in which case the family must have received TANF Medicaid assistance for at least one of the last 3 months.

(3) To continue to receive transitional Medicaid assistance following the first 6 months of coverage, a family entering the transitional Medicaid program prior to federal approval or waiver under subparagraph 4 with income above 133% of the federal poverty guidelines must pay premiums in accordance with rules adopted by the department. If a family entering the transitional Medicaid program after federal approval or waiver has average gross monthly earnings, less average monthly costs for such child care as is necessary for employment, that are above 100% of the federal poverty guidelines, then that family shall pay, beginning in their 7th month of receiving transitional Medicaid, monthly premiums, copayments or other methods of cost sharing equal to no more than 3% of that family's average gross monthly earnings, less the average monthly costs for such child care as is necessary for employment.

(4) By October 1, 1997, the department shall have taken reasonable steps to seek a federal waiver, approval of a state plan modification under Section 114 of PRWORA or any other appropriate action to secure federal approval to use federal matching funds to extend transitional Medicaid assistance for 2 years beyond the families' initial 1 year period of eligibility. Beginning on February 1, 1998, or at the time that the department receives the federal approval or waiver, whichever is later, the department shall provide extended benefits under this subparagraph to families that qualify under subparagraph (1) or (2) and that meet the requirements of the transitional Medicaid program.

(5) The department shall provide transitional Medicaid for 4 months to families whose eligibility for TANF Medicaid assistance terminated due to an increase in the amount of child support received by the family.

COMMITTEE AMENDMENT

(6) The department shall require reporting of income or circumstances for the purpose of determining eligibility and premium payments, copayments or other methods of cost sharing for benefits under this paragraph in accordance with rules adopted by the department.

(7) The scope of services provided under this paragraph must be the same as the scope of services provided when a family received TANF Medicaid assistance.

Sec. I-3. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

2000-01

HUMAN SERVICES, DEPARTMENT OF

Bureau of Medical Services

Positions - Legislative Count	(1.000)
Personal Services	\$21,544
All Other	2,250
TOTAL	\$23,794

Provides funds from the Fund for a Healthy Maine for the state share of a Management Analyst II position and related operating costs to aid in managing Medicaid coverage.

Medical Care - Payments to Providers

All Other	\$3,645,925
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Provides funds from the Fund for a Healthy Maine for the State's share of the cost of expanding Medicaid coverage and for modifying transitional Medicaid assistance.

DEPARTMENT OF HUMAN SERVICES TOTAL

\$3,669,719

Sec. I-4. Allocation. The following funds are allocated from the Federal Expenditures Fund to carry out the purposes of this Part.

2000-01

R. 13

2 HUMAN SERVICES, DEPARTMENT OF

4 Bureau of Medical Services

6	Personal Services	\$21,544
	All Other	2,250
8		
	TOTAL	<u>\$23,794</u>

10 Provides funds for the federal share of a
12 Management Analyst II position and related
14 operating costs to aid in managing Medicaid
coverage.

16 Medical Care - Payments
to Providers

18	All Other	\$7,146,021
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20 Provides funds for the federal share of
22 expanding Medicaid coverage and for
24 modifying transitional Medicaid assistance.

26	DEPARTMENT OF HUMAN SERVICES TOTAL	<u>\$7,169,815</u>
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28 PART J

30 Sec. J-1. 22 MRSA §3174-T, sub-§2, as amended by PL 1999, c.
32 401, Pt. QQ, §1 and affected by §5, is further amended by
amending the first paragraph to read:

34 2. Eligibility; enrollment. Health coverage under the Cub
36 Care program is available to women who are pregnant and children
~~one-year-of-age-or-older-and~~ under 19 years of age whose family
38 income is above the eligibility level for Medicaid under section
40 3174-G and below the maximum eligibility level established under
paragraphs A and B, who meet the requirements set forth in
paragraph C and for whom premiums are paid under subsection 5.

42 Sec. J-2. Allocation. The following funds are allocated from
44 Other Special Revenue funds to carry out the purposes of this
Part.

46 2000-01

48 HUMAN SERVICES,
50 DEPARTMENT OF

**Medical Care - Payments
to Providers**

2

4

All Other

\$362,000

6

Provides funds from the Fund for a Healthy
Maine for the costs to provide access to Cub
Care for infants under one year of age.

8

**10 Medical Care - Payments
to Providers**

12

All Other

\$596,000

14

Provides funds from the Fund for a Healthy
Maine for the costs to provide access to
Medicaid for pregnant women.

16

18

**DEPARTMENT OF HUMAN
SERVICES
TOTAL**

20

\$958,000

22

PART K

24

Sec. K-1. 22 MRSA c. 408-A is enacted to read:

26

CHAPTER 408-A

28

SCHOOL NURSE CONSULTANT

30

§1971. School nurse consultant position

32

1. Establishment. The position of school nurse consultant is established jointly within the department and the Department of Education. The Director of the Bureau of Health within the department and the Director of Special Projects and External Affairs within the Department of Education shall jointly supervise the school nurse consultant.

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2. Qualifications. The school nurse consultant must be licensed as a registered professional nurse in the State and have a master's degree in nursing or a related field and experience in school health care or community nursing.

42

44

§1972. Duties

46

The school nurse consultant shall provide statewide nursing leadership, consultation and direction for coordinated school health care programs. The school nurse consultant shall:

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11/18

COMMITTEE AMENDMENT "A" to H.P. 1818, L.D. 2552

2 1. Liaison. Serve as a liaison and resource expert in
3 school nursing and school health care program areas for local,
4 regional, state and national school health care provider and
5 policy-setting groups;

6
7 2. Information. Monitor, interpret, synthesize and
8 disseminate relevant information related to school health care
9 trends, school nursing practice, health-related policy changes,
10 legal issues in school nursing and school health care program
11 implementation and professional development;

12
13 3. Staff development. Foster and promote staff development
14 for school nurses by planning and providing orientation,
15 educational offerings and networking with universities and other
16 providers of continuing education to meet identified needs; and

17 4. Standards. Gather and analyze data relevant to the
18 school health care program and monitor standards to promote
19 school nursing excellence and optimal health of school children.

20
21 **Sec. K-2. Allocation.** The following funds are allocated from
22 Other Special Revenue funds to carry out the purposes of this
23 Part.

24
25
26 2000-01

27 **EDUCATION, DEPARTMENT OF**

28 **Learning Systems**

29		
30	Positions - Legislative Count	(1,000)
31	Personal Services	\$46,468
32	All Other	7,500
33	Capital Expenditures	3,500

34
35 Provides funds from the Fund for a Healthy
36 Maine for the salary, benefits, operating
37 and start-up costs of an Education
38 Specialist III position to function as a
39 school nurse consultant.

40
41 **DEPARTMENT OF EDUCATION**
42 **TOTAL** \$57,468

43 **PART L**

COMMITTEE AMENDMENT

Sec. L-1. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

	1999-00	2000-01
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF		
Biennial Reserve Account		
All Other		\$27,040,000
Provides for the allocation of funds from the Fund for a Healthy Maine to be used in future biennia. These funds do not lapse but must be carried forward until reallocated by a subsequent Legislature.		
Trust Fund for a Healthy Maine		
All Other	\$6,308,981	\$4,785,867
Provides for the allocation of funds from the Fund for a Healthy Maine to the Trust Fund for a Healthy Maine in accordance with the provisions of the Maine Revised Statutes, Title 22, section 1511, subsection 3, paragraph A and section 1512, subsection 2, paragraph A.		
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES		
TOTAL	<u>\$6,308,981</u>	<u>\$31,825,867</u>

PART M

Sec. M-1. PL 1999, c. 401, Pt. V, §4 is amended to read:

Sec. V-4. Working capital advance. The State Controller is authorized to advance to the Bureau of Health Other Special Revenue Fund Account in the Department of Human Services

M.S.

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\$3,500,000 from the General Fund unappropriated surplus on July 1, 1999 to be allotted by financial order upon the recommendation of the State Budget Officer and approval of the Governor for the purpose of continuing the tobacco prevention and control initiative, which must be returned to the General Fund from the Fund for a Healthy Maine no later than June-30, -2000 May 1, 2000.

PART N

Sec. N-1. 22 MRSA c. 250-A is enacted to read:

CHAPTER 250-A

HUMAN LEUKOCYTE ANTIGEN SCREENING FUND

§851. Human Leukocyte Antigen Screening Fund

1. Creation of fund. The Human Leukocyte Antigen Screening Fund, referred to in this section as the "fund," is established as a nonlapsing fund to support bone marrow screening by individuals and organizations determined to be eligible according to rules adopted by the department under subsection 2. Money in the fund must be expended as allocated by the Legislature for the purposes of the fund and may be invested as provided by law. Interest on these investments must be credited to the fund.

2. Administration. The department shall administer the fund and shall adopt rules as necessary to administer the fund and to determine the criteria for eligible recipients. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

3. Income tax checkoff funding. Revenue collected from the income tax checkoff pursuant to Title 36, section 5285-A must be credited to the fund.

4. Other funds. The fund may receive money from any source, including grants, gifts, bequests and donations.

Sec. N-2. 36 MRSA §5285-A is enacted to read:

§5285-A. Human Leukocyte Antigen Screening Fund checkoff

1. Human Leukocyte Antigen Screening Fund. When filing a return, a taxpayer entitled to a refund under this Part may designate that a portion of that refund be paid into the Human Leukocyte Antigen Screening Fund established in Title 22, chapter 250-A. A taxpayer who is not entitled to a refund under this Part may contribute to the Human Leukocyte Antigen

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Screening Fund by including with that taxpayer's return sufficient funds to make the contribution. Each individual income tax return form must contain a designation in substantially the following form: "Human Leukocyte Antigen Screening Fund: () \$5, () \$10, () \$25 or () Other \$."

2. Contributions credited to the Human Leukocyte Antigen Screening Fund. The State Tax Assessor shall determine annually the total amount contributed pursuant to subsection 1. Prior to the beginning of the next year, the State Tax Assessor shall deduct the cost of administering the Human Leukocyte Antigen Screening Fund checkoff, but not exceeding \$2,000 annually, and report the remainder to the Treasurer of State, who shall forward that amount to the Human Leukocyte Antigen Screening Fund.

3. Effective date. This section applies to tax years beginning on and after January 1, 2000.

Sec. N-3. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

2000-01

HUMAN SERVICES, DEPARTMENT OF

Human Leukocyte Antigen Screening Fund

All Other \$250,000

Provides for a one-time allocation of funds from the Fund for a Healthy Maine for the first-year funding of the Human Leukocyte Antigen Screening Fund.

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

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

FISCAL NOTE

ALLOCATIONS

1999-00 2000-01 BIENNIUM

Other Special Revenue Funds

2				
4	PART A, Section A-1 and Section A-2		(\$15,058,195)	(\$15,058,195)
6	PART B, Section B-1		17,526,011	17,526,011
8	PART C, Section C-1		39,989	39,989
10	PART D, Section D-1		10,916,500	10,916,500
12	PART E, Section E-2		10,000,000	10,000,000
14	PART F, Section F-1		6,373,000	6,373,000
16	PART G, Section G-1		15,609,072	15,609,072
18	PART H, Section H-1		150,000	150,000
20	PART I, Section I-3		3,669,719	3,669,719
22	PART J, Section J-2		958,000	958,000
24	PART K, Section K-2		57,468	57,468
26	PART L, Section L-1	6,308,981	31,825,867	38,134,848
28	PART N, Section N-3		250,000	250,000
30	OTHER SPECIAL REVENUE FUNDS			
32	TOTAL	\$6,308	1	\$82,317,431
				\$88,626,412

**34 Federal Expenditures
Fund**

36	PART I, Section I-4		\$7,169,815	\$7,169,815
38				

40 Part N, section N-2, authorizes the Bureau of Revenue
 42 Services to deduct the costs, up to \$2,000 annually, of
 44 administering the checkoff. The \$2,000 deduction for the
 46 administrative costs will be credited to the General Fund as
 48 undedicated revenue. An additional General Fund appropriation
 may be requested by the Bureau of Revenue Services for the
 initial funding for these administrative costs. There would be
 no net impact to the General Fund if this appropriation is
 provided.'

2 **SUMMARY**

4 This amendment is the majority report of the Joint Standing
6 Committee on Appropriations and Financial Affairs. It replaces
8 the bill. It makes allocations from the Fund for a Healthy
10 Maine, the fund that receives the proceeds of the settlement of
12 Maine's lawsuit against certain tobacco manufacturers, State of
14 Maine v. Philip Morris, et al.

16 Part A repeals certain allocations from the Fund for a
18 Healthy Maine that are changed by this amendment.

20 Part B provides funding for the design, planning,
22 implementation and coordination of statewide community-based
24 smoking prevention, cessation and control programs, program
26 evaluation, research and grants. A new program in the Department
28 of Human Services, Bureau of Health is established to administer
30 and coordinate these programs and grants. Grants will be
32 distributed across the major geographical areas of the State.

34 Part C establishes a position in the Department of the
36 Attorney General to enforce escrow payments required from
38 cigarette manufacturers who did not participate in the settlement.

40 Part D provides funding to the Office of Substance Abuse
42 within the Department of Mental Health, Mental Retardation and
44 Substance Abuse Services for the provision of substance abuse
46 services to uninsured or underinsured children and adults;
48 start-up costs for a treatment facility for youth and a treatment
50 facility for women in northern Maine; start-up costs for the
provision of substance abuse services in underserved geographic
areas and to underserved populations; support of direct care
workers as recommended by the Task Force on Substance Abuse;
facility and equipment improvements related to health, safety and
capacity building; and the provision of substance abuse services
to adults who have been referred by the Maine courts.

Part E increases the amount currently required by law to be
allocated to the elderly low-cost drug program, as expanded by
Public Law 1999, chapter 401, from not less than \$5,000,000 to
not less than \$10,000,000.

Under current law, the Department of Human Services is
required to seek a federal waiver to authorize the department to
provide Medicaid prescription drug benefits to qualified persons
who are 62 years of age or older or who are 19 years of age or
older and determined by the department to be disabled under the
standards of the federal social security program and who have
household income up to and including 185% of the nonfarm income

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2 official poverty line. Pending the receipt of the federal
3 waiver, Part E also requires the funds allocated for the State's
4 share to be allocated on a quarterly basis, beginning July 1,
5 2000, to expand the categories of illnesses covered under the
6 elderly low-cost drug program.

7 Part F provides funds to expand home-visiting services to
8 the parents of newborn children and the support, training and
9 education of persons who perform those visits. This Part also
10 requires an evaluation of the effectiveness of home visits to be
11 done and provides funding for that purpose as recommended by the
12 Business Advisory Commission on Quality Child Care Financing,
13 established in Resolve 1999, chapter 66.

14 Part G provides funding to the Department of Human Services
15 to perform an assessment of the quality, accessibility and
16 affordability of child care in Maine and the need for staff
17 training and facilities and equipment improvement for child care
18 programs and allocates funds to carry out the recommendations of
19 the assessments.

20 Part G also provides funding to expand Head Start to allow
21 for full-day, year-round coverage for children up to 5 years of
22 age. Funds are also provided to offer child care providers
23 incentives to offer care during odd hours, in underserved
24 geographic areas, to at-risk children or to children with special
25 needs. Ten positions are created and funded in the Community
26 Services Center to provide additional support. Three and
27 one-half positions are created and funded to conduct mandatory
28 fire safety inspections at child care facilities.

29 Part G also provides funds for additional child care
30 subsidies for infants, toddlers, preschool and school-aged
31 children and provides funds to provide after-school services to
32 children 12-to-15 years of age.

33 Part H provides funding for Quality Child Care Education
34 Scholarship Fund scholarships, which are scholarships based on
35 financial need for residents of the State who are enrolled in one
36 or more courses related to early childhood education or child
37 development at accredited institutions of higher education.

38 Part I requires the Department of Human Services to provide
39 Medicaid services, within budgetary limits, to the parent or
40 caretaker of a child up to 19 years of age when the child's
41 family income is below 150% of the nonfarm income official
42 poverty line; funding for the State's share of the cost of this
43 expansion is provided. If the Commissioner of Human Services
44 determines that there are not adequate funds, then the
45 commissioner is required to adjust the income eligibility limits.

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- 2 Part I also changes the eligibility requirements of
- 4 transitional Medicaid to require past participation in Medicaid
- 6 instead of in the Temporary Assistance for Needy Families
- 8 program. Funding for the State's share of an additional position
- to aid in managing Medicaid coverage in the Bureau of Medical
- Services within the Department of Human Services and the cost of
- modifying transitional Medicaid assistance is provided.

- 10 Part J expands access to Cub Care to infants under one year
- 12 of age, expands access to Medicaid for pregnant women and
- provides funding for those purposes.

- 14 Part K establishes and funds the position of school nurse
- 16 consultant within the Department of Human Services and the
- 18 Department of Education. The school nurse consultant's duties
- 20 include acting as a liaison to school health care provider and
- 22 policy-setting groups; providing health care, nursing, policy and
- legal information regarding school nursing, school health care
- programs and professional development; promoting staff
- development and promoting nursing excellence and optimal health
- of school children.

- 24 Part L allocates funds to a biennial reserve account in the
- 26 Department of Administrative and Financial Services to be used in
- 28 future biennia as allocated by subsequent Legislatures. It also
- allocates 10% of estimated tobacco settlement revenue to the
- Trust Fund for a Healthy Maine.

- 30 Part M requires the working capital advance of \$3,500,000
- 32 authorized in Public Law 1999, chapter 401 to be repaid by May 1,
- 2000.

- 34 Part N creates the Human Leukocyte Antigen Screening Fund,
- 36 utilizing a voluntary income tax contribution checkoff. It
- 38 provides a one-time \$250,000 allocation from the Fund for a
- Healthy Maine for first-year funding of the Human Leukocyte
- Antigen Screening Fund.

- 40 This amendment also adds a fiscal note.