



120th MAINE LEGISLATURE

SECOND REGULAR SESSION-2002

Legislative Document

No. 1934

H.P. 1437

House of Representatives, December 20, 2001

Resolve, to Provide Access to Personal Care Assistant Home Care Services.

(EMERGENCY)

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

Received by the Clerk of the House on December 17, 2001. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

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MILLICENT M. MacFARLAND, Clerk

Presented by Representative FULLER of Manchester. Cosponsored by Senator LONGLEY of Waldo and Representatives: DUDLEY of Portland, JACOBS of Turner, KANE of Saco, LAVERRIERE-BOUCHER of Biddeford, TWOMEY of Biddeford. **Emergency preamble. Whereas,** Acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this resolve must take effect before the expiration of the 90-day period in order to alleviate the crisis in recruiting and retaining personal care assistants for home care services that negatively impacts access to these services; and

10 Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of 12 Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and 14 safety; now, therefore, be it

Sec. 1. Department of Human Services to change reimbursement for 16 personal care assistant home care services. Resolved: That the Department of Human Services shall amend immediately its rules 18 regarding reimbursement for personal care assistant home care services by increasing the reimbursement rate for these services 20 by \$1 per hour. By October 1, 2002 the Department of Human Services shall review its rules regarding the reimbursement 22 structure for personal care assistant home care services, identify barriers to those services and revise rules as necessary 24 to improve the delivery of those services. The department shall 26 include in the process representatives of provider agencies, Elder Independence of Maine, consumers, family members and advocacy groups. The department shall consider a different 28 method of reimbursement for one-hour visits. By October 1, 2002, the department shall report to the Joint Standing Committee on 30 Health and Human Services on its actions to improve the delivery 32 of services. Rules adopted pursuant to this section are routine technical rules as defined by the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A. 34

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

SUMMARY

42 This resolve requires the Department of Human Services to amend immediately its rules regarding reimbursement for personal 44 care assistant home care services by increasing the reimbursement 44 rate for these services by \$1 per hour. The department also must 46 review its rules regarding the reimbursement structure for 48 personal care assistant home care services, identify barriers to 48 those services, revise rules as necessary to improve the delivery 49 of those services and report to the Joint Standing Committee on 49 Health and Human Services by October 1, 2002.