

MAINE STATE LEGISLATURE

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M
R. 08.

L.D. 1919

DATE: 4/15/04

(Filing No. H-934)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
SECOND SPECIAL SESSION

HOUSE AMENDMENT "S" to COMMITTEE AMENDMENT "A" to H.P. 1420, L.D. 1919, Bill, "An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2004 and June 30, 2005"

Amend the amendment by inserting at the end before the emergency clause the following:

PART FFFF

Sec. FFFF-1. 22 MRSA §3174-G, sub-§1, ¶F, as enacted by PL 2001, c. 450, Pt. A, §2, is amended to read:

F. A person 20 to 64 years of age who is not otherwise covered under paragraphs A to E when the person's family income is below or equal to 100% of the nonfarm income official poverty line, provided that the commissioner shall adjust the maximum eligibility level in accordance with the requirements of the paragraph.

~~(1) If, on October 1, 2003 and annually thereafter, expenditures for the population described in this paragraph are reasonably anticipated to fall below the program budget, the commissioner shall raise the maximum eligibility level to the extent necessary to provide coverage to as many persons with income below 125% of the nonfarm income official poverty line as possible within the fiscal constraints of the Maine Health Access Fund described in section 260.~~

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2 (1-A) There is created the MaineCare noncategorical
4 adults waiver account to act as the sole source of
 state funding for persons enrolled in MaineCare under
 this paragraph.

6
8 (2) If the maximum eligibility level is raised above
10 100% of the poverty level pursuant to this paragraph
12 and subsequently the commissioner reasonably
14 anticipates the cost of the program to exceed the
 budget of the population described in this paragraph,
 the commissioner shall lower the maximum eligibility
 level to the extent necessary to provide coverage to as
 many persons as possible within the program budget.

16 (3) The commissioner shall give at least 30 days'
18 notice of the proposed change in maximum eligibility
20 level to the joint standing committee of the
22 Legislature having jurisdiction over appropriations and
 financial affairs and the joint standing committee of
 the Legislature having jurisdiction over health and
 human services matters.

24 ~~(4)---The department must begin offering coverage 3~~
26 ~~months after obtaining approval of a waiver of coverage~~
28 ~~from the United States Department of Health and Human~~
 ~~Services or on October 1, 2002, whichever is later.~~

30 (5) Coverage under this paragraph is limited to 20,000
32 persons at any time. When enrollment reaches 20,000
34 persons, the commissioner shall discontinue enrollment
 of eligible persons until enrollment decreases to a
 level that makes reopening enrollment feasible.

36 **Sec. FFFF-2. Working group of pharmacists.** The Commissioner
38 of Human Services shall convene a working group of pharmacists or
40 their designees for the purpose of exploring ways to achieve
42 additional cost savings in all pharmacy-related programs
44 administered by the Department of Human Services. The working
46 group consists of the following 5 members: a representative of
48 the Maine Pharmacists Association; a representative of the Maine
 Merchants Association; a representative of the Pharmacy Group of
 New England; a representative of the National Association of
 Chain Drug Stores and one other member appointed by the
 Commissioner of Human Services. The commissioner shall report
 the findings and recommendations of the working group to the
 Joint Standing Committee on Human Services not later than October
 1, 2004.

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2 **Sec. FFFF-3. Appropriations and allocations.** The following
appropriations and allocations are made.

4 **HUMAN SERVICES, DEPARTMENT OF**

6 **Medical Care - Payments to Providers 0147**

8 Initiative: Provides for the deappropriation of funds to reflect
10 the transfer of funding responsibility for the MaineCare
noncategorical adult waiver to a new stand-alone waiver account.

12

14 General Fund	2003-04	2004-05
All Other	\$0	(\$36,864,000)
16 General Fund Total	<hr/> \$0	<hr/> (\$36,864,000)
18 Federal Expenditures Fund	2003-04	2004-05
All Other	\$0	(\$68,975,793)
20 Federal Expenditures Fund Total	<hr/> \$0	<hr/> (\$68,975,793)

22 **MaineCare Noncategorical Adults Waiver (New)**

24 Initiative: Provides for the appropriation of funds for a new
26 MaineCare noncategorical adult waiver program account to help
28 enforce the statutory requirement to limit the waiver program to
budgeted levels.

30

General Fund	2003-04	2004-05
All Other	\$0	\$27,864,000
32 General Fund Total	<hr/> \$0	<hr/> \$27,864,000
34 Federal Expenditures Fund	2003-04	2004-05
36 All Other	\$0	\$52,136,000
38 Federal Expenditures Fund Total	<hr/> \$0	<hr/> \$52,136,000

40 **Medical Care - Payments to Providers 0147**

42 Initiative: Appropriates funds to restore the deappropriation
44 and deallocation in Part FFF resulting from initiating a
voluntary pharmacy mail order program for MaineCare and the
46 low-cost drugs for the elderly programs. The Department of Human
Services is not authorized to implement any form of a pharmacy
48 mail order program for these programs.

Reds.

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2	General Fund	2003-04	2004-05
	All Other	\$0	\$5,000,000
4	General Fund Total	<hr/>	<hr/>
		\$0	\$5,000,000
6	Federal Expenditures Fund	2003-04	2004-05
	All Other	\$0	\$9,355,441
8	Federal Expenditures Fund Total	<hr/>	<hr/>
		\$0	\$9,355,441
10	HUMAN SERVICES, DEPARTMENT OF		
12	DEPARTMENT TOTALS	2003-04	2004-05
14	GENERAL FUND	\$0	(\$4,000,000)
	FEDERAL EXPENDITURES FUND	\$0	(\$7,484,353)
16	DEPARTMENT TOTAL - ALL FUNDS	<hr/>	<hr/>
		\$0	(\$11,484,353)
18	BEHAVIORAL AND DEVELOPMENTAL		
20	SERVICES, DEPARTMENT OF		
22	Mental Health Services - Community 0121		
24	Initiative: Appropriates funds for peer support services.		
26	General Fund	2003-04	2004-05
	All Other	\$0	\$200,000
28	General Fund Total	<hr/>	<hr/>
		\$0	\$200,000
30	Mental Health Services - Community 0121		
32	Initiative: Appropriates funds to maintain funding for social		
34	clubs at the fiscal year 2003-04 level.		
36	General Fund	2003-04	2004-05
	All Other	\$0	\$200,000
38	General Fund Total	<hr/>	<hr/>
		\$0	\$200,000
40	Mental Health Services - Community 0121		
42	Initiative: Appropriates funds for housing assistance to persons		
44	with mental illness.		
46	General Fund	2003-04	2004-05
	All Other	\$0	\$1,600,000
48	General Fund Total	<hr/>	<hr/>
		\$0	\$1,600,000

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2	BEHAVIORAL AND DEVELOPMENTAL		
	SERVICES, DEPARTMENT OF		
4	DEPARTMENT TOTALS	2003-04	2004-05
6	GENERAL FUND	\$0	\$2,000,000
8	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$2,000,000
10	BAXTER COMPENSATION AUTHORITY		
12	Baxter Compensation Authority		
14	Initiative: Appropriates funds to disperse to those former		
16	students who are found to have suffered physical or sexual abuse		
18	while they were students at and under the care of the Governor		
	Baxter School for the Deaf or the Maine School for the Deaf.		
20	General Fund	2003-04	2004-05
	All Other	\$0	\$2,000,000
22	General Fund Total	\$0	\$2,000,000
24	BAXTER COMPENSATION AUTHORITY		
	DEPARTMENT TOTALS		
26	GENERAL FUND	\$0	\$2,000,000
28	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$2,000,000
30	SECTION TOTALS		
32	GENERAL FUND	\$0	\$0
34	FEDERAL EXPENDITURES FUND	0	(7,484,353)
36	SECTION TOTAL - ALL FUNDS	\$0	(\$7,484,353)'

38 Further amend the bill by relettering or renumbering any
40 nonconsecutive Part letter or section number to read
consecutively.

42 **SUMMARY**

44 This amendment creates the MaineCare noncategorical adult
46 waiver account to act as the sole source of state funding for
adults eligible for MaineCare under the noncategorical waiver.
48 The amendment caps enrollment in the noncategorical MaineCare

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2 coverage category at 20,000 persons at any one time. The
3 amendment directs the Commissioner of Human Services to convene a
4 working group to explore ways to achieve cost savings in all
5 pharmacy-related programs administered by the Department of Human
6 Services.

FISCAL NOTE REQUIRED
(See attached)

8
10
12
14
16

SPONSORED BY: 
(Representative J. O'BRIEN)

TOWN: Augusta

HOUSE AMENDMENT

**121st Maine Legislature
Office of Fiscal and Program Review**



LD 1919

An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2004 and June 30, 2005

LR 2833(15)

Fiscal Note for House Amendment " " to Committee Amendment "A"

Sponsor: Rep. O'brien

Fiscal Note Required: Yes

Fiscal Note

	2003-04	2004-05
Net Cost (Savings)		
General Fund	\$0	\$0
Appropriations/Allocations		
General Fund	\$0	\$0
Federal Expenditures Fund	\$0	(\$7,484,353)
Revenue		
Federal Expenditures Fund	\$0	(\$7,484,353)

Fiscal Detail and Notes

This amendment will have no net effect on General Fund appropriations and revenue and a balanced budget is maintained for the 2004-2005 biennium.