

MAINE STATE LEGISLATURE

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L.D. 33

DATE: 6/6/15

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HEALTH AND HUMAN SERVICES

MAJORITY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 36, L.D. 33, "Resolve, Regarding Legislative Review of Chapter 101: Establishment of the Capital Investment Fund, a Major Substantive Rule of the Governor's Office of Health Policy and Finance"

Amend the resolve in section 1 in the last line (page 1, line 27 in L.D.) by striking out the following: "authorized." and inserting in its place the following: 'authorized, only if the rule is amended as follows:'

Further amend the resolve in section 1 by inserting at the end the following:

1. Section 3, paragraph D, subsection (1) of the rule must be amended to add a 5th additional criterion: specifically, consideration of any unused balance in the Capital Investment Fund from the prior year;

2. Section 3, paragraph D, subsection (2) of the rule must be amended to state that the Governor's Office of Health Policy and Finance may convene an ad hoc panel of experts, as provided in the Maine Revised Statutes, Title 2, section 102, subsection 2, to provide input to the office at a public meeting in accordance with the freedom of access laws;

3. Section 3, paragraph E of the rule must be amended to provide for a public hearing between 17 and 24 days after publication of the notice in the Kennebec Journal, with notice to persons requesting notification between 17 and 24 days prior to the hearing that contains information on the time and place of

COMMITTEE AMENDMENT

2 the public hearing and with the deadline for the submission of
3 comments and with a written notice of the final Capital
4 Investment Fund amount within 120 days; and

6 4. Section 4 of the rule, "Use and Operation of the Capital
7 Investment Fund," must be amended to exempt hospital and
8 nonhospital projects that are funded fully with public funding
9 from the use of the Capital Investment Fund as a limit on annual
10 resource allocations under the certificate of need program by the
11 Department of Health and Human Services.'

12
14 **SUMMARY**

16 This amendment is the majority report of the committee. The
17 amendment authorizes the adoption of Chapter 101: Establishment
18 of the Capital Investment Fund, a Major Substantive Rule of the
19 Governor's Office of Health Policy and Finance, if the rule is
20 amended to add language regarding convening a panel of experts to
21 advise the Governor's Office of Health Policy and Finance, to add
22 public notice and meeting requirements that are similar to those
23 provided in the Maine Administrative Procedure Act, to add as a
24 consideration any unused balance in the Capital Investment Fund
25 from the prior year and to exempt hospital and nonhospital
26 projects that are funded fully with public funding from the limit
27 on resource allocations imposed by the Capital Investment Fund.

28
30 **FISCAL NOTE REQUIRED**
(See attached)



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LD 33

LR 0930(02)

Resolve, Regarding Legislative Review of Chapter 101: Establishment of the Capital Investment Fund, a Major Substantive Rule of the Governor's Office of Health Policy and Finance

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Health and Human Services

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

The additional costs associated with adoption of this major substantive rule can be absorbed by the Executive Department utilizing existing budgeted resources.