

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 318

H.P. 242

House of Representatives, January 19, 2005

An Act To Protect the MaineCare Program

Reference to the Committee on Health and Human Services suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative McKANE of Newcastle.
Cosponsored by Senator DOW of Lincoln and
Representatives: BISHOP of Boothbay, HOGAN of Old Orchard Beach, LINDELL of
Frankfort, PILON of Saco, SHIELDS of Auburn, VAUGHAN of Durham, Senator: SNOWE-
MELLO of Androscoggin.

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

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Sec. 1. 22 MRSA §3174-G, sub-§1, ¶D, as amended by PL 2003, c.
4 673, Pt. Y, §2, is further amended to read:

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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, except that the department may adopt a rule that provides that children described in this paragraph in families with income over 150% and equal to or below 200% of the nonfarm income official poverty line who meet the eligibility requirements of the Cub Care program established under section 3174-T are eligible to participate in the Cub Care program instead of Medicaid. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A; and

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

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E. The parent or caretaker relative of a child described in paragraph B or D when the child's family income is equal to or below 150% of the nonfarm income official poverty line, subject to adjustment by the commissioner under this paragraph. Medicaid services provided under this paragraph must be provided within the limits of the program budget. Funds appropriated for services under this paragraph must include an annual inflationary adjustment equivalent to the rate of inflation in the Medicaid program. On a quarterly basis, the commissioner shall determine the fiscal status of program expenditures under this paragraph. If the commissioner determines that expenditures will exceed the funds available to provide Medicaid coverage pursuant to this paragraph, the commissioner must shall 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 shall 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; and.

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Sec. 3. 22 MRSA §3174-G, sub-§1, ¶F, as enacted by PL 2001, c.
450, Pt. A, §2, is repealed.

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Sec. 4. 22 MRSA §3174-FF, sub-§3, ¶H, as enacted by PL 2003,
c. 673, Pt. MMM, §1, is repealed.

2 **Sec. 5. PL 2003, c. 469, Pt. A, §5** is repealed.

4 **Sec. 6. Rulemaking.** By July 1, 2005, the Department of
6 Health and Human Services shall adopt rules to increase the
reimbursement rate for hospitals under the MaineCare program from
75% to 88% of actual costs. Rules adopted pursuant to this
8 section are routine technical rules as defined in the Maine
Revised Statutes, Title 5, chapter 375, subchapter 2-A.

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SUMMARY

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This bill amends the MaineCare law as follows:

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1. It returns the MaineCare eligibility levels to the
levels in effect prior to the passage of the Dirigo Health law,
18 Public Law 2003, chapter 469;

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2. It eliminates the noncategorical adult eligibility
expansion of the MaineCare program;

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3. It increases the MaineCare reimbursement rate for
hospitals from 75% to 88% of their actual costs, the same as
Medicare; and

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4. It repeals that provision of the MaineCare Basic program
in the Maine Revised Statutes, Title 22, section 3174-FF,
subsection 3, paragraph H that relates to MaineCare coverage for
noncategorical adults.

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