

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ms

L.D. 1631

DATE: 11/4/06

(Filing No. H-731)

HEALTH AND HUMAN SERVICES

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1149, L.D. 1631, "Resolve, Requiring the State To Reimburse Providers for Costs Incurred Due to MaineCare Reimbursement Delays"

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

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

Whereas, providers of MaineCare services that have incurred costs due to the MaineCare Claims Management System or "MECMS" have been incurring those costs since early in 2005 and are in immediate need of reimbursement for those costs; 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

Sec. 1. Department of Health and Human Services to reimburse providers. Resolved: That the Department of Health and Human Services shall reimburse providers of MaineCare services for costs incurred during 2005 as a result of delays in payment caused by the implementation of the MaineCare Claims Management System or "MECMS."

COMMITTEE AMENDMENT

0013

2 **1. Application.** Reimbursement for costs incurred under
3 this resolve applies to costs associated with the implementation
4 of MECMS, specifically to costs incurred by providers during 2005
5 as a result of the failure of MECMS to properly process claims.
6 Costs incurred before 2005 or on or after January 1, 2006 do not
7 qualify for reimbursement under this resolve.

8
9 **2. Rulemaking.** The Department of Health and Human Services
10 shall adopt rules regarding claims from providers of MaineCare
11 services for reimbursement under this resolve. The rules must
12 define what types of costs qualify for reimbursement, what
13 documentation of those costs is required and the method of
14 application. Rules adopted pursuant to this subsection are
15 routine technical rules as defined in the Maine Revised Statutes,
16 Title 5, chapter 375, subchapter 2-A; and be it further

17 **Sec. 2. Status reports. Resolved:** That, during 2006, the
18 Department of Health and Human Services shall provide periodic
19 status reports to the Joint Standing Committee on Health and
20 Human Services on claims from providers of MaineCare services for
21 reimbursement and payments made under this resolve; and be it
22 further

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

25

SUMMARY

26

27 This amendment is the majority report of the committee. The
28 amendment replaces the resolve. It adds emergency language,
29 retains the provisions of the resolve that call for payment of
30 provider costs and adds provisions to the resolve defining the
31 time period of the incurred costs, requiring rulemaking
32 concerning claims for reimbursement and requiring periodic status
33 reports for the Joint Standing Committee on Health and Human
34 Services regarding claims and payments made pursuant to the
35 resolve. This amendment adds an appropriation to the resolve.

36

37

FISCAL NOTE REQUIRED
(See attached)



Approved: 12/23/05 *MAC*

122nd MAINE LEGISLATURE

LD 1631

LR 2331(02)

Resolve, Requiring the State To Reimburse Providers for Costs Incurred Due to MaineCare Reimbursement Delays

Fiscal Note for Bill as Amended by Committee Amendment "A"
Committee: Health and Human Services

Fiscal Note Required: Yes

Fiscal Note

Undetermined current biennium cost increase - General Fund

Fiscal Detail and Notes

The bill as drafted would create a significant liability/cost for the Department of Health and Human Services to reimburse providers of MaineCare services for costs incurred during 2005 as a result of delays in payments caused by the implementation of a new MaineCare claims management system (MECMS). While the Department has indicated it is planning to request an appropriation of \$4 million to reimburse MaineCare providers for the interest costs they incurred resulting from MECMS-related payment delays, the fiscal impact of this bill cannot be determined at this time because costs to be reimbursed are not sufficiently defined or otherwise limited.