

MAINE STATE LEGISLATURE

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L.D. 1757

DATE: 4-3-06

(Filing No. S-547)

HEALTH AND HUMAN SERVICES

Reported by:

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STATE OF MAINE
SENATE
122ND LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 674, L.D. 1757, Bill, "An Act To Improve the MaineCare Program"

Amend the bill by striking out the title and substituting the following:

'An Act Regarding Continuing Improvements in the MaineCare Program'

Further amend the bill by striking out everything after the title and inserting in its place the following:

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

Whereas, authorization for the Department of Health and Human Services to adopt rules with retroactive application was enacted in 2003 with an automatic repeal date of July 1, 2006; and

Whereas, the automatic repeal of the statutory authorization for retroactive rules will expire on July 1, 2006 unless action is taken immediately to repeal the automatic repeal clause; 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 enacted by the People of the State of Maine as follows:

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to S.P. 674, L.D. 1757

2 amends the laws governing MaineCare, authorizing the Department
of Health and Human Services to adopt rules with retroactive
4 application to increase provider reimbursement in order to ensure
access to covered medically necessary services for MaineCare
6 members. The amendment also repeals the repeal date of July 1,
2006 on the authority of the department to adopt rules with
retroactive application.

8
10 The amendment directs the MaineCare Advisory Committee to
review the report of the Blue Ribbon Commission on the Future of
12 MaineCare with the goal of identifying initiatives for continuing
improvement and monitoring changes in the federal Medicaid
14 program. It directs the committee to report to the Joint
Standing Committee on Health and Human Services any
16 recommendations for legislation or rulemaking in an initial
report by September 1, 2006 and a final report by January 1, 2007.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



Approved: 03/28/06 *MAC*

122nd MAINE LEGISLATURE

LD 1757

2468(02)

An Act To Improve the MaineCare Program

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

Committee: Health and Human Services

Fiscal Note Required: Yes

Fiscal Note

Potential future biennium cost increase - General Fund

Fiscal Detail and Notes

The bill's provision giving the Department of Health and Human Services authority to do retroactive rulemaking on an emergency basis to increase MaineCare provider reimbursements could potentially increase MaineCare costs. Any additional costs to the Department of Health and Human Services resulting from this bill can be absorbed by the department utilizing existing budgeted resources.