

MAINE STATE LEGISLATURE

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Date: 4/13/19

L.D. 252
(Filing No. H- 89)

HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
124TH LEGISLATURE
FIRST REGULAR SESSION**

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~~COMMITTEE AMENDMENT~~ "A" to H.P. 198, L.D. 252, Bill, "An Act Regarding the Transfer of Nursing Facilities"

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Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

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'Sec. 1. 22 MRSA §3175-D is enacted to read:
§3175-D. Nursing facility depreciation

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1. Depreciation. For sales of nursing facilities, as defined in section 1812-A, that occur on or after October 1, 2009, the department shall either:

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A. At the time of the sale, recapture depreciation paid by the department under the MaineCare program, from the proceeds of the sale; or

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B. At the election of the buyer and seller, waive the recapture of depreciation at the time of the sale and allow the asset to transfer at the historical cost of the seller less depreciation allowed under the MaineCare program to the buyer for reimbursement purposes.'

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SUMMARY

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This amendment replaces the prohibition proposed in the bill on depreciation recapture under the MaineCare program when a nursing facility is sold. The amendment allows depreciation recapture through repayment by the seller or adjustment of the buyer's basis for the purposes of fixed cost reimbursement under MaineCare. The amendment also makes this change in MaineCare reimbursement applicable to sales of nursing facilities on or after October 1, 2009.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



124th MAINE LEGISLATURE

LD 252

LR 581(02)

An Act Regarding the Transfer of Nursing Facilities

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

Any additional costs to the Department of Health and Human Services are expected to be minor and can be absorbed utilizing existing budgeted resources.