

# MAINE STATE LEGISLATURE

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# 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

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**Legislative Document**

**No. 1142**

H.P. 786

House of Representatives, March 23, 2009

### **Resolve, To Ensure Access to Speech and Hearing Services**

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

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative WEBSTER of Freeport.  
Cosponsored by Senator BRANNIGAN of Cumberland and  
Representatives: CAIN of Orono, GOODE of Bangor, PERRY of Calais, PETERSON of  
Rumford, STRANG BURGESS of Cumberland, Senators: BARTLETT of Cumberland,  
DIAMOND of Cumberland, SHERMAN of Aroostook.

1       **Sec. 1. Maximization of private insurance. Resolved:** That the Department  
2 of Education shall maximize private insurance reimbursement to the Child Development  
3 Services System and the Department of Health and Human Services shall maximize  
4 private insurance reimbursement for MaineCare services in order to minimize  
5 expenditures in the Child Development Services System and the MaineCare program.  
6 Expenditures avoided through maximization of the use of private insurance under this  
7 section must be used to fund the MaineCare rate increases in section 2; and be it further

8       **Sec. 2. Speech and hearing rate increase. Resolved:** That by October 1,  
9 2009 the Department of Health and Human Services shall increase the rates of  
10 reimbursement for speech and hearing services provided through speech and hearing  
11 agencies in the MaineCare Benefits Manual, Chapter II, Section 109 and Chapter III,  
12 Section 109. The new rates of reimbursement must increase the rates set in 1999 by the  
13 increase since 1999 in the United States Department of Labor, Bureau of Labor Statistics  
14 Consumer Price Index. The new reimbursement rates must comply with federal  
15 Medicaid requirements for billing codes, must result in an increase over reimbursement  
16 rates paid in 2008 and may not result in decreased reimbursement rates for any speech  
17 and hearing agency services. Rules adopted pursuant to this section are routine technical  
18 rules as defined by the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A; and  
19 be it further

20       **Sec. 3. Appropriations and allocations. Resolved:** That the following  
21 appropriations and allocations are made.

22       **EDUCATION, DEPARTMENT OF**

23       **Preschool Handicapped 0449**

24       Initiative: Deappropriates funds from enhanced private insurance reimbursements to the  
25 Child Development Services System.

26 <b>GENERAL FUND</b>	<b>2009-10</b>	<b>2010-11</b>
27       All Other	(\$100,000)	(\$102,700)
28		
29       GENERAL FUND TOTAL	<u>(\$100,000)</u>	<u>(\$102,700)</u>

30       **Preschool Handicapped 0449**

31       Initiative: Appropriates funds to increase reimbursement rates for speech and hearing  
32 services provided through speech and hearing agencies.

33 <b>GENERAL FUND</b>	<b>2009-10</b>	<b>2010-11</b>
34       All Other	\$100,000	\$102,700
35		
36       GENERAL FUND TOTAL	<u>\$100,000</u>	<u>\$102,700</u>

1	<b>EDUCATION, DEPARTMENT OF</b>		
2	<b>DEPARTMENT TOTALS</b>	<b>2009-10</b>	<b>2010-11</b>
3			
4	<b>GENERAL FUND</b>	\$0	\$0
5			
6	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u>\$0</u>	<u>\$0</u>
7	<b>HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)</b>		
8	<b>Medical Care - Payments to Providers 0147</b>		
9	Initiative: Deappropriates funds by increasing 3rd-party liability collections from		
10	MaineCare members.		
11	<b>GENERAL FUND</b>	<b>2009-10</b>	<b>2010-11</b>
12	All Other	(\$100,000)	(\$102,700)
13			
14	<b>GENERAL FUND TOTAL</b>	<u>(\$100,000)</u>	<u>(\$102,700)</u>
15	<b>FEDERAL EXPENDITURES FUND</b>	<b>2009-10</b>	<b>2010-11</b>
16	All Other	(\$180,978)	(\$185,864)
17			
18	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>(\$180,978)</u>	<u>(\$185,864)</u>
19	<b>Medical Care - Payments to Providers 0147</b>		
20	Initiative: Appropriates funds to increase MaineCare reimbursement rates for speech and		
21	hearing services provided through speech and hearing agencies.		
22	<b>GENERAL FUND</b>	<b>2009-10</b>	<b>2010-11</b>
23	All Other	\$100,000	\$102,700
24			
25	<b>GENERAL FUND TOTAL</b>	<u>\$100,000</u>	<u>\$102,700</u>
26	<b>FEDERAL EXPENDITURES FUND</b>	<b>2009-10</b>	<b>2010-11</b>
27	All Other	\$180,978	\$185,864
28			
29	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$180,978</u>	<u>\$185,864</u>

1	<b>HEALTH AND HUMAN SERVICES,</b>		
2	<b>DEPARTMENT OF (FORMERLY DHS)</b>		
3	<b>DEPARTMENT TOTALS</b>	<b>2009-10</b>	<b>2010-11</b>
4			
5	<b>GENERAL FUND</b>	\$0	\$0
6	<b>FEDERAL EXPENDITURES FUND</b>	\$0	\$0
7			
8	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u>\$0</u>	<u>\$0</u>
9	<b>SECTION TOTALS</b>	<b>2009-10</b>	<b>2010-11</b>
10			
11	<b>GENERAL FUND</b>	\$0	\$0
12	<b>FEDERAL EXPENDITURES FUND</b>	\$0	\$0
13			
14	<b>SECTION TOTAL - ALL FUNDS</b>	<u>\$0</u>	<u>\$0</u>

15 **SUMMARY**

16 This resolve directs the Department of Health and Human Services to increase by rule  
17 the rates of reimbursement under the MaineCare program set in 1999 for speech and  
18 hearing services provided through speech and hearing agencies by the increase since 1999  
19 in the federal Consumer Price Index. The new reimbursement rates must comply with  
20 federal Medicaid requirements for billing codes, must result in an increase over  
21 reimbursement rates paid in 2008 and may not result in decreased reimbursement rates  
22 for any speech and hearing agency services. The new rules are designated as routine  
23 technical rules. The resolve also requires the Department of Education to maximize  
24 private insurance reimbursement to the Child Development Services System and the  
25 Department of Health and Human Services to maximize private insurance reimbursement  
26 for MaineCare services and directs savings to the speech and hearing agency  
27 reimbursement increase.

28 The resolve includes an appropriations and allocations section that appropriates funds  
29 to increase reimbursement rates for speech and hearing services and deappropriates funds  
30 by increasing 3rd-party liability collections from MaineCare members and from enhanced  
31 private insurance reimbursements to the Child Development Services System.