

MAINE STATE LEGISLATURE

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Date: 4/12/13

L.D. 8
(Filing No. H- 68)

HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
126TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 12, L.D. 8, "Resolve, Directing the Department of Health and Human Services To Provide Coverage under the MaineCare Program for Home Life Skills Services for Adults with Intellectual Disabilities or Autistic Disorder"

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

'Resolve, Directing the Department of Health and Human Services To Provide Coverage under the MaineCare Program for Home Support Services for Adults with Intellectual Disabilities or Autistic Disorder'

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

'Sec. 1. Coverage for home support under the MaineCare program. Resolved: That the Department of Health and Human Services shall request approval from the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to amend the Centers for Medicare and Medicaid Services waiver to allow the Department of Health and Human Services to amend the rules on the MaineCare program in Chapter 101, MaineCare Benefits Manual, Chapter II, Section 29 and Chapter III, Section 29 to add home support as a covered service. For the purposes of the waiver application, home support is direct support provided to a member in the member's home by a direct support professional to improve and maintain the member's ability to live as independently as possible in the member's home and primarily consists of habilitative training and assistance with self-care, personal development and well-being; and be it further

Sec. 2. Rulemaking. Resolved: Upon approval of a waiver amendment pursuant to section 1, the Department of Health and Human Services shall adopt rules to amend the rules on the MaineCare program in Chapter 101, MaineCare Benefits Manual, Chapter II, Section 29 and Chapter III, Section 29 to add home support as a covered service. Rules adopted pursuant to this section must maintain the cap for services at an annual aggregate amount of \$23,771 after the addition of home support as a covered service. Rules adopted pursuant to this section to amend Chapter II, Section 29 are routine technical

COMMITTEE AMENDMENT

1 rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.
2 Rules adopted pursuant to this section to amend Chapter III, Section 29 are major
3 substantive rules as defined in Title 5, chapter 375, subchapter 2-A.'

4 **SUMMARY**

5 This amendment replaces the resolve. It requires the Department of Health and
6 Human Services to request approval from the United States Department of Health and
7 Human Services, Centers for Medicare and Medicaid Services to amend the Section 29
8 waiver of the MaineCare program in Chapter 101, MaineCare Benefits Manual, Chapters
9 II and III to allow the Department of Health and Human Services to add home support as
10 a covered service. Upon approval by the Centers for Medicare and Medicaid Services,
11 the Department of Health and Human Services is required to adopt rules to amend the
12 rules on the MaineCare program in Chapter 101, MaineCare Benefits Manual, Chapter II,
13 Section 29 and Chapter III, Section 29 to add home support as a covered service. Rules
14 to amend Chapter II, Section 29 are designated routine technical rules to amend Chapter
15 III, Section 29 are designated major substantive rules as defined in Title 5, chapter 375,
16 subchapter 2-A. Services under the Section 29 program remain capped at an aggregate
17 amount of \$23,771 per year after home support is added.

18 **FISCAL NOTE REQUIRED**

19 **(See attached)**



126th MAINE LEGISLATURE

LD 8

LR 355(02)

Resolve, Directing the Department of Health and Human Services To Provide Coverage under the MaineCare Program for Home Life Skills Services for Adults with Intellectual Disabilities or Autistic Disorder

Fiscal Note for Bill as Amended by Committee Amendment 'A' (H-68)

Committee: Health and Human Services

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

The additional costs to the Department of Health and Human Services to adopt rules to add home support as a covered service under Section 29 of the MaineCare Benefits Manual, Support Benefits for Adults with Intellectual Disabilities or Autistic Disorder, can be absorbed utilizing existing budgeted resources.