

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)

July

Date: 6/27/2013

(Filing No. S-331)

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE
SENATE
126TH LEGISLATURE
FIRST REGULAR SESSION

SENATE AMENDMENT "A" to S.P. 12, L.D. 20, Bill, "An Act To Fully Fund the Homemaker Services Program"

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

'Resolve, Directing the Department of Health and Human Services To Review the Need for and the Costs of Services That Enable Populations Who Are Elderly or Have Disabilities To Live Independently'

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

'Sec. 1. Review of need for services, costs and potential savings. Resolved: That by December 1, 2013 the Department of Health and Human Services shall begin a review and analysis of the need for services for instrumental activities of daily living among the State's populations who are elderly or who have disabilities, the costs of providing services and the potential for savings. For the purposes of this section, "instrumental activities of daily living" means essential, nonmedical tasks that enable the consumer to live independently in the community, including light housework, preparing meals, taking medications, shopping for groceries or clothes, using the telephone, managing money and other similar activities. The department shall evaluate:

- 1. The needs and costs for services for instrumental activities of daily living for persons receiving services under the state-funded homemaker services program and persons on the waiting list for those services;
- 2. The needs and costs for other services including Medicaid services and services at an institutional level of care for persons receiving services under the state-funded homemaker services program and persons on the waiting list for those services;
- 3. The possibility of achieving savings from obtaining a Medicaid waiver for instrumental activities of daily living;
- 4. The possibility of prioritizing the provision of services among applicants for homemaker services based on the needs of the applicants;
- 5. The possibility of prioritizing the provision of services among applicants for homemaker services based on the applicants' access to other supports; and

SENATE AMENDMENT

6. Projections for service needs and costs over the next 5 years.

In performing the review and analysis under this section, the department may work with the Muskie School of Public Service at the University of Southern Maine; and be it further

Sec. 2. Inquiry regarding Medicaid waiver or state plan amendment.

Resolved: That by January 1, 2014 the Department of Health and Human Services shall submit an inquiry to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services regarding the feasibility of obtaining a Medicaid waiver or a state plan amendment to enable the State to provide coverage for instrumental activities of daily living, as defined in section 1, under the MaineCare program. The inquiry must provide to the Centers for Medicare and Medicaid Services information regarding the need for services for instrumental activities of daily living among persons currently receiving services under the state-funded homemaker services program and persons currently on the waiting list for those services and the potential for savings from providing services under the Medicaid program; and be it further

Sec. 3. Application for waiver or state plan amendment. Resolved:

That if based on the review of costs and potential savings in section 1 and if, in response to the inquiry made under section 2, the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services indicates that it is feasible for the State to obtain a Medicaid waiver or state plan amendment to enable the State to provide coverage for instrumental activities of daily living, as defined in section 1, the Department of Health and Human Services shall apply by July 1, 2014 for the necessary waiver or submit the state plan amendment using the information gathered pursuant to the review of the need for services, the analysis of costs and potential savings and the projection of needs and costs undertaken pursuant to section 1.'

SUMMARY

This amendment replaces the bill with a resolve and directs the Department of Health and Human Services to begin by December 1, 2013 reviewing and analyzing the need for services for instrumental activities of daily living among Maine's populations who are elderly or who have disabilities, the costs of providing services, the potential for savings and projections of need. This amendment directs the Department of Health and Human Services based on its review of costs and potential savings to submit by January 1, 2014 an inquiry to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services regarding the feasibility of obtaining a Medicaid waiver or a state plan amendment to enable the State to provide coverage for instrumental activities of daily living under the MaineCare program. If in response to the inquiry the Centers for Medicare and Medicaid Services indicates that it is feasible to obtain a

1 Medicaid waiver or state plan amendment to enable the State to provide coverage for
2 instrumental activities of daily living, the Department of Health and Human Services
3 must apply for the necessary waiver or submit the state plan amendment by July 1, 2014.

4 **FISCAL NOTE REQUIRED**

5 (See attached)

6 SPONSORED BY: 

7 (Senator HILL)

8 COUNTY: York



126th MAINE LEGISLATURE

LD 20

LR 100(06)

Resolve, Directing the Department of Health and Human Services To Review the Need for and the Costs of Services That Enable Populations Who Are Elderly or Have Disabilities To Live Independently

Fiscal Note for Senate Amendment *A* to Original Bill

Sponsor: Sen. Hill of York

Fiscal Note Required: Yes

Fiscal Note

	FY 2013-14	FY 2014-15	Projections FY 2015-16	Projections FY 2016-17
Net Cost (Savings)				
General Fund	(\$1,500,000)	(\$1,500,000)	(\$1,500,000)	(\$1,500,000)
Appropriations/Allocations				
General Fund	(\$1,500,000)	(\$1,500,000)	(\$1,500,000)	(\$1,500,000)

Fiscal Detail and Notes

The amendment eliminates the bill's ongoing annual appropriation of \$1.5 million for the independent support services (homemaker services) program in the Department of Health and Human Services. Additional costs resulting from the amendment for the Department of Health and Human Services for the review, analysis and preparation of a federal waiver or State plan amendment are assumed to be minor and can be absorbed within existing budgeted resources.