

MAINE STATE LEGISLATURE

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Date: 6/3/13

L.D. 488
(Filing No. H-325)

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. 338, L.D. 488, Bill, "An Act To Improve Access to Home-based and Community-based Care in the MaineCare Program"

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

'Resolve, Directing the Department of Health and Human Services To Develop a Process To Provide Additional Home-based and Community-based Services in the MaineCare Program'

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

'Sec. 1. Department of Health and Human Services to provide additional home-based and community-based services in the MaineCare program.

Resolved: That by October 1, 2013 and upon the approval of the federal Department of Health and Human Services, Centers for Medicare and Medicaid Services, the Department of Health and Human Services shall develop a process in the MaineCare home-based and community-based waiver program for the elderly and the disabled to provide additional services for up to 25 unduplicated participants per year whose annual cap on services may exceed the current cap by up to 25% as long as the department determines that such additional services are medically necessary, are likely to delay or prevent the institutionalization of the person and are not likely to result in the cost of services under the waiver for that person exceeding the estimated cost of comparable services in a nursing facility for that person; and be it further

Sec. 2. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)

Medical Care - Payments to Providers 0147

Initiative: Provides funding for the costs of additional services for up to 25 unduplicated participants per year whose costs exceed the home-based and community-based waiver

COMMITTEE AMENDMENT

1 program for the elderly and disabled annual cap on services in order to prevent the
2 institutionalization of the participants.

3	GENERAL FUND	2013-14	2014-15
4	All Other	\$93,265	\$124,768
5			
6	GENERAL FUND TOTAL	<u>\$93,265</u>	<u>\$124,768</u>
7	FEDERAL EXPENDITURES FUND	2013-14	2014-15
8	All Other	\$150,916	\$200,807
9			
10	FEDERAL EXPENDITURES FUND TOTAL	<u>\$150,916</u>	<u>\$200,807</u>
11			

12 **SUMMARY**

13 This amendment replaces the bill. It requires the Department of Health and Human
14 Services to develop a process in the MaineCare home-based and community-based
15 waiver program for the elderly and the disabled to provide additional services for up to 25
16 unduplicated participants per year whose annual cap on services may exceed the current
17 cap as long as the department determines that the additional services are medically
18 necessary, are likely to delay or prevent the institutionalization of the person and are not
19 likely to result in the cost of the services exceeding the estimated costs of comparable
20 services in a nursing facility. The department is required to develop the process, which
21 requires the approval of the federal Department of Health and Human Services Centers
22 for Medicare and Medicaid Services, by October 1, 2013. The amendment includes an
23 appropriations and allocations section.

24 **FISCAL NOTE REQUIRED**

25 (See attached)



126th MAINE LEGISLATURE

LD 488

LR 971(02)

An Act To Improve Access to Home-based and Community-based Care in the MaineCare Program

Fiscal Note for Bill as Amended by Committee Amendment 'A' (H-325)
 Committee: Health and Human Services
 Fiscal Note Required: Yes

Fiscal Note

Potential future biennium savings - General Fund

	FY 2013-14	FY 2014-15	Projections FY 2015-16	Projections FY 2016-17
Net Cost (Savings)				
General Fund	\$93,265	\$124,768	\$124,768	\$124,768
Appropriations/Allocations				
General Fund	\$93,265	\$124,768	\$124,768	\$124,768
Federal Expenditures Fund	\$150,916	\$200,807	\$200,807	\$200,807

Fiscal Detail and Notes

Provides appropriations of \$93,265 in 2013-14 and \$124,768 in 2014-15 for the State costs of the MaineCare program to provide additional services for up to 25 participants per year whose costs exceed the home and community-based waiver program for the elderly and disabled annual cap on services in order to prevent the institutionalization of the participants. The fiscal impact of the potential reduction in higher cost institutionalizations cannot be determined at this time.