

# MAINE STATE LEGISLATURE

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Date: 6/14/13

L.D. 1189  
(Filing No. H-513)

**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. 833, L.D. 1189, Bill, "An Act Regarding Implementation of Cost-of-living Increases for Nursing Facilities"

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

**'Resolve, Regarding Implementation of Cost-of-living Increases for Nursing Facilities'**

Amend the bill by striking out everything after the emergency preamble and before the emergency clause and inserting the following:

**'Sec. 1. Cost-of-living adjustment rules for fiscal year ending 2012. Resolved:** That the Department of Health and Human Services shall amend its rules regarding the cost-of-living adjustment required pursuant to the Maine Revised Statutes, Title 22, section 1708, subsection 3, paragraph E as provided in this section. The rules must contain an annual inflation adjustment that, with regard to the cost-of-living adjustment for a nursing facility for its fiscal year ending in 2012, if the nursing facility would receive a downward adjustment in its otherwise applicable cost-of-living adjustment effective October 1, 2011 as a result of a finding by the department that it did not provide a wage increase to frontline employees as required by rule. The rules must provide for full payment if the nursing facility demonstrates to the satisfaction of the department by its first fiscal year ending after July 1, 2013 that the facility granted an equivalent wage increase since the previous cost-of-living adjustment. This section applies only to the extent approved by the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services. Notwithstanding any provision of law to the contrary, the rules may be adopted on an emergency basis. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.'

**SUMMARY**

This amendment replaces the bill. It directs the Department of Health and Human Services to adopt rules regarding the cost-of-living adjustment payable to a nursing

**COMMITTEE AMENDMENT**

1 facility for the fiscal year that ends in 2012 that allow full payment of the cost-of-living  
2 adjustment if the required wage increases to frontline employees are granted over a  
3 longer period of time than allowed by current rule. The amendment authorizes the  
4 Department of Health and Human Services to adopt the rules on an emergency basis. The  
5 amendment designates the rules as routine technical rules.

**FISCAL NOTE REQUIRED**  
(See attached)



# 126th MAINE LEGISLATURE

LD 1189

LR 1390(02)

An Act Regarding Implementation of Cost-of-living Increases for Nursing Facilities

Fiscal Note for Bill as Amended by Committee Amendment

Committee: Health and Human Services

Fiscal Note Required: Yes

*A (H-513)*

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## Fiscal Note

Minor cost increase - General Fund

### Fiscal Detail and Notes

Any additional cost to the Department of Health and Human Services is expected to be minor and can be absorbed within existing budgeted resources.