

MAINE STATE LEGISLATURE

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Date: 3/31/16

L.D. 1638
(Filing No. H-623)

HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
127TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1115, L.D. 1638, Bill, "An Act To Increase Payments to MaineCare Providers That Are Subject to Maine's Service Provider Tax"

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

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the State's MaineCare providers that are subject to the service provider tax have experienced an increase in the tax since January 1, 2016; and

Whereas, MaineCare providers have insufficient reserves to withstand cost increases; and

Whereas, private nonmedical institutions and other facilities provide services to Maine's vulnerable citizens, including children, individuals with substance use disorders, and adults with intellectual disabilities and autistic disorder; and

Whereas, private nonmedical institutions and other facilities that provide such services need increased funding to continue providing those services; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. Appropriations and allocations. The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)
Developmental Services Waiver - MaineCare 0987**

COMMITTEE AMENDMENT

R. of S.

COMMITTEE AMENDMENT "A" to H.P. 1115, L.D. 1638

1 Initiative: Provides funding for additional payments to providers.

2	GENERAL FUND	2015-16	2016-17
3	All Other	\$261,418	\$1,002,949
4			
5	GENERAL FUND TOTAL	<u>\$261,418</u>	<u>\$1,002,949</u>

6 **Medicaid Services - Developmental Services 0705**

7 Initiative: Provides funding for additional payments to providers.

8	GENERAL FUND	2015-16	2016-17
9	All Other	\$5,843	\$22,415
10			
11	GENERAL FUND TOTAL	<u>\$5,843</u>	<u>\$22,415</u>

12	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
13	All Other	\$51,183	\$204,732
14			
15	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$51,183</u>	<u>\$204,732</u>

16 **Mental Health Services - Community Medicaid 0732**

17 Initiative: Provides funding for additional payments to providers.

18	GENERAL FUND	2015-16	2016-17
19	All Other	\$70,040	\$268,714
20			
21	GENERAL FUND TOTAL	<u>\$70,040</u>	<u>\$268,714</u>

22	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
23	All Other	\$13,413	\$53,653
24			
25	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$13,413</u>	<u>\$53,653</u>

26 **Office of Substance Abuse and Mental Health Services - Medicaid Seed 0844**

27 Initiative: Provides funding for additional payments to providers.

28	GENERAL FUND	2015-16	2016-17
29	All Other	\$6,260	\$24,019
30			
31	GENERAL FUND TOTAL	<u>\$6,260</u>	<u>\$24,019</u>

COMMITTEE AMENDMENT

R. S.

1	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
2	All Other	\$1,199	\$4,796
3			
4	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$1,199</u>	<u>\$4,796</u>
5	HEALTH AND HUMAN SERVICES,		
6	DEPARTMENT OF (FORMERLY BDS)		
7	DEPARTMENT TOTALS	2015-16	2016-17
8			
9	GENERAL FUND	\$343,561	\$1,318,097
10	OTHER SPECIAL REVENUE FUNDS	\$65,795	\$263,181
11			
12	DEPARTMENT TOTAL - ALL FUNDS	<u>\$409,356</u>	<u>\$1,581,278</u>
13	HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)		
14	Medical Care - Payments to Providers 0147		
15	Initiative: Provides funding for additional payments to providers.		
16	GENERAL FUND	2015-16	2016-17
17	All Other	\$139,442	\$534,978
18			
19	GENERAL FUND TOTAL	<u>\$139,442</u>	<u>\$534,978</u>
20	FEDERAL EXPENDITURES FUND	2015-16	2016-17
21	All Other	\$966,158	\$3,943,566
22			
23	FEDERAL EXPENDITURES FUND TOTAL	<u>\$966,158</u>	<u>\$3,943,566</u>
24	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
25	All Other	\$26,704	\$106,818
26			
27	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$26,704</u>	<u>\$106,818</u>

8.9.8.

1	HEALTH AND HUMAN SERVICES,		
2	DEPARTMENT OF (FORMERLY DHS)		
3	DEPARTMENT TOTALS	2015-16	2016-17
4			
5	GENERAL FUND	\$139,442	\$534,978
6	FEDERAL EXPENDITURES FUND	\$966,158	\$3,943,566
7	OTHER SPECIAL REVENUE FUNDS	\$26,704	\$106,818
8			
9	DEPARTMENT TOTAL - ALL FUNDS	\$1,132,304	\$4,585,362
10	SECTION TOTALS	2015-16	2016-17
11			
12	GENERAL FUND	\$483,003	\$1,853,075
13	FEDERAL EXPENDITURES FUND	\$966,158	\$3,943,566
14	OTHER SPECIAL REVENUE FUNDS	\$92,499	\$369,999
15			
16	SECTION TOTAL - ALL FUNDS	\$1,541,660	\$6,166,640

17 **Emergency clause.** In view of the emergency cited in the preamble, this
18 legislation takes effect when approved.'

19 **SUMMARY**

20 This amendment strikes the bill and instead provides an appropriations and
21 allocations section that adds funding for an increase in reimbursement rates to eligible
22 MaineCare providers for the last 3 months of fiscal year 2015-16 and for fiscal year
23 2016-17. The purpose of the additional funding is to offset the imposition of the service
24 provider tax, which took effect January 1, 2016. This amendment also adds an
25 emergency preamble and emergency clause.

26 **FISCAL NOTE REQUIRED**

27 (See attached)

COMMITTEE AMENDMENT



127th MAINE LEGISLATURE

LD 1638

LR 2384(02)

An Act To Increase Payments to MaineCare Providers That Are Subject to Maine's Service Provider Tax

Fiscal Note for Bill as Amended by Committee Amendment 'A' (H-623)
 Committee: Health and Human Services
 Fiscal Note Required: Yes

Fiscal Note

	FY 2015-16	FY 2016-17	Projections FY 2017-18	Projections FY 2018-19
Net Cost (Savings)				
General Fund	\$483,003	\$1,853,075	\$1,826,559	\$1,826,559
Appropriations/Allocations				
General Fund	\$483,003	\$1,853,075	\$1,826,559	\$1,826,559
Federal Expenditures Fund	\$966,158	\$3,943,566	\$3,970,083	\$3,970,083
Other Special Revenue Funds	\$92,499	\$369,999	\$369,999	\$369,999
Revenue				
Federal Expenditures Fund	\$966,158	\$3,943,566	\$3,970,083	\$3,970,083
Other Special Revenue Funds	\$92,499	\$369,999	\$369,999	\$369,999

Fiscal Detail and Notes

The bill includes General Fund appropriations to the Department of Health and Human Services of \$483,003 in fiscal year 2015-16 and \$1,853,075 in fiscal year 2016-17 and Other Special Revenue Funds allocations of \$92,499 in fiscal year 2015-16 and \$369,999 in fiscal year 2016-17 for additional payments to MaineCare providers who are subject to Maine's Service Provider Tax. Federal Expenditures Fund allocations are also included for the FMAP match.

This estimate includes funds for payments beginning April 1, 2016. The amendment calls for payments beginning January 1, 2016, but due to federal rules, the State would only be able to get federal match for payments beginning on April 1, 2016.