

# MAINE STATE LEGISLATURE

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# 127th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2016

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Legislative Document

No. 1682

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H.P. 1151

House of Representatives, March 29, 2016

**An Act To Specify That Certain Rules Regarding Services to  
Persons with Intellectual Disabilities or Autism Are Major  
Substantive Rules**

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Reported by the Majority from the Joint Standing Committee on Health and Human  
Services pursuant to the Maine Revised Statutes, Title 5, chapter 377-A.

A handwritten signature in cursive script that reads "R. B. Hunt".

ROBERT B. HUNT  
Clerk

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

2 **Sec. 1. 34-B MRSA §5006** is enacted to read:

3 **§5006. Rules regarding community-based services and reimbursement for**  
4 **community-based services for persons with intellectual disabilities or autism**

5 Notwithstanding any other provision of this Title or Title 22, any rules adopted on or  
6 after August 1, 2016 by the department pursuant to any authority granted under this  
7 chapter and Title 22, chapter 855 regarding community-based services for persons with  
8 intellectual disabilities or autism and reimbursement for providers of community-based  
9 services for persons with intellectual disabilities or autism are major substantive rules as  
10 defined in Title 5, chapter 375, subchapter 2-A. Rules subject to this section include, but  
11 are not limited to, rules relating to eligibility, personal planning, covered and noncovered  
12 services, limits and duration of care, member records, provider qualifications and  
13 requirements, the appeals process, reimbursement calculation and methods, provider  
14 participation requirements, provider responsibilities, record keeping and retention of  
15 financial records and billing and auditing.

16 **SUMMARY**

17 This bill designates as major substantive rules any rules that are adopted by the  
18 Department of Health and Human Services on or after August 1, 2016 regarding  
19 community-based services and reimbursement for providers of community-based services  
20 for persons with intellectual disabilities or autism.

21 This bill is submitted by the Joint Standing Committee on Health and Human  
22 Services in response to a petition filed pursuant to the Maine Revised Statutes, Title 5,  
23 chapter 377-A relating to proposed changes to Chapter 101: MaineCare Benefits Manual,  
24 Chapter II, Section 21.