

# MAINE STATE LEGISLATURE

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Date: 5/18/2017

(Filing No. S-105)

Majority

HEALTH AND HUMAN SERVICES

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

STATE OF MAINE

SENATE

128TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 153, L.D. 451, Bill, "An Act To Continue MaineCare Coverage for Parents during the Rehabilitation and Reunification Process"

Amend the bill in section 1 in §3174-ZZ in the first paragraph in the last line (page 1, line 10 in L.D.) by inserting after the following: "occurs first." the following: "The department shall adopt rules to implement this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A."

Amend the bill by adding after section 1 the following:

**Sec. 2. Waiver request.** No later than January 1, 2018, the Department of Health and Human Services shall submit a waiver request to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services that requests approval for Medicaid coverage of a parent who has one or more children removed from the home but remains engaged in reunification efforts as established in the Maine Revised Statutes, Title 22, section 3174-ZZ. The department shall take all reasonable and necessary steps to seek approval of the waiver. Upon approval of the waiver request, the Commissioner of Health and Human Services shall notify the Secretary of State, the Secretary of the Senate, the Clerk of the House of Representatives and the Revisor of Statutes of that fact.

**Sec. 3. Report.** The Department of Health and Human Services shall report quarterly to the joint standing committee of the Legislature having jurisdiction over health and human services matters, beginning October 1, 2017, on the department's progress in seeking a waiver under section 2 and implementing rules under section 4 until the process is complete.

**Sec. 4. Rulemaking.** Within 180 days of receiving approval for coverage by the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services pursuant to a request in accordance with section 2, the Department of Health and Human Services shall adopt rules to implement the Maine Revised Statutes, Title 22, section 3174-ZZ. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**COMMITTEE AMENDMENT**

1           **Sec. 5. Appropriations and allocations.** The following appropriations and  
 2 allocations are made.

3           **HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**

4           **Medical Care - Payments to Providers 0147**

5 Initiative: Provides appropriations and allocations to provide MaineCare coverage to a  
 6 parent who is a MaineCare member and who is participating in rehabilitation and  
 7 reunification efforts in accordance with a rehabilitation and reunification plan.

8	<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
9	All Other	\$0	\$1,252,073
10			
11	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$1,252,073</u>

12	<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
13	All Other	\$0	\$2,259,067
14			
15	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$0</u>	<u>\$2,259,067</u>

16           **State-funded Foster Care/Adoption Assistance 0139**

17 Initiative: Deappropriates savings achieved by providing MaineCare coverage to a parent  
 18 who is a MaineCare member and who is participating in rehabilitation and reunification  
 19 efforts in accordance with a rehabilitation and reunification plan.

20	<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
21	All Other	\$0	(\$1,192,416)
22			
23	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>(\$1,192,416)</u>

24	<b>HEALTH AND HUMAN SERVICES,</b>		
25	<b>DEPARTMENT OF (FORMERLY DHS)</b>		
26	<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
27			
28	<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$59,657</b>
29	<b>FEDERAL EXPENDITURES FUND</b>	<b>\$0</b>	<b>\$2,259,067</b>
30			
31	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u><b>\$0</b></u>	<u><b>\$2,318,724</b></u>

32           **Sec. 6. Contingent effective date.** That section of this Act that enacts the Maine  
 33 Revised Statutes, Title 22, section 3174-ZZ takes effect only if the United States  
 34 Department of Health and Human Services, Centers for Medicare and Medicaid Services  
 35 approves a waiver request submitted in accordance with section 2 of this Act. In no event

1 may this Act take effect until 90 days after the adjournment of the First Regular Session  
2 of the 128th Legislature.'

3

### SUMMARY

4 This amendment, which is the majority report of the committee, requires the  
5 Department of Health and Human Services to submit a waiver request no later than  
6 January 1, 2018 to the United States Department of Health and Human Services, Centers  
7 for Medicare and Medicaid Services to implement the provisions of the Maine Revised  
8 Statutes, Title 22, section 3174-ZZ. The department is required to take all reasonable and  
9 necessary steps to seek approval of the waiver. Upon approval of the waiver, the  
10 department is directed to adopt rules no later than 180 days after receiving approval. The  
11 department is required to report its progress in seeking a waiver and implementing rules  
12 on a quarterly basis beginning October 1, 2017 until the process is complete. The  
13 amendment also adds an appropriations and allocations section.

14

### FISCAL NOTE REQUIRED

15

(See attached)



# 128th MAINE LEGISLATURE

LD 451

LR 1822(02)

## An Act To Continue MaineCare Coverage for Parents during the Rehabilitation and Reunification Process

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-105)  
Committee: Health and Human Services  
Fiscal Note Required: Yes

### Fiscal Note

	FY 2017-18	FY 2018-19	Projections FY 2019-20	Projections FY 2020-21
<b>Net Cost (Savings)</b>				
General Fund	\$0	\$59,657	\$59,657	\$59,657
<b>Appropriations/Allocations</b>				
General Fund	\$0	\$59,657	\$59,657	\$59,657
Federal Expenditures Fund	\$0	\$2,259,067	\$2,259,067	\$2,259,067
<b>Revenue</b>				
Federal Expenditures Fund	\$0	\$2,259,067	\$2,259,067	\$2,259,067

### Fiscal Detail and Notes

The bill includes General Fund appropriations to the Department of Health and Human Services of \$59,657 in fiscal year 2018-19 for the net impact of the savings to the Office of Child and Family Services and the additional costs to the Office of MaineCare Services to provide MaineCare coverage to a parent who is a MaineCare member and who is participating in rehabilitation and reunification efforts in accordance with a rehabilitation and reunification plan. Federal Expenditures Fund allocations will also be required for the FMAP match.