

# MAINE STATE LEGISLATURE

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1  
2/19  
ROFS

Date: 5/15/17

L.D. 643  
(Filing No. H-176)

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**HEALTH AND HUMAN SERVICES**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
128TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 457, L.D. 643, "Resolve, Directing the Department of Health and Human Services To Increase Reimbursement Rates for Home-based and Community-based Services"

Amend the resolve by striking out all of section 1 and inserting the following:

**'Sec. 1. Reimbursement for personal care and related services. Resolved:** That the Department of Health and Human Services shall amend its rules for reimbursement rates for personal care and related services provided under Chapter 101: MaineCare Benefits Manual, Sections 12, 19 and 96 and Chapter 5, Office of Elder Services Policy Manual, Section 63 to reflect the final rates modeled in the February 1, 2016 report "Rate Review for Personal Care and Related Services: Final Rate Models" prepared for the department by Burns & Associates, Inc. Rules adopted pursuant to this section are routine technical rules pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A; and be it further'

Amend the resolve in section 2 in the last line (page 1, line 30 in L.D.) by striking out the following: "2018." and inserting the following: '2018; and be it further'

Amend the resolve by adding after section 2 the following:

**'Sec. 3. Adjustment of monetary caps. Resolved:** That the Department of Health and Human Services shall ensure that caps and limitations on home-based and community-based services are increased to reflect increases in reimbursement rates that result from this resolve. A recipient of services may not experience a reduction in hours solely as a result of increased reimbursement; and be it further

**Sec. 4. Appropriations and allocations. Resolved:** That the following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)  
Long Term Care - Office of Aging and Disability Services 0420  
Initiative: Provides funding to increase rates for certain services effective July 1, 2018.**

**COMMITTEE AMENDMENT**

ROFS

COMMITTEE AMENDMENT "A" to H.P. 457, L.D. 643

1	<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
2	All Other	\$0	\$884,176
3			
4	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$884,176</u>

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

6     Initiative: Provides funding to increase rates for certain services effective July 1, 2018.

7	<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
8	All Other	\$0	\$2,775,557
9			
10	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$2,775,557</u>

11	<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
12	All Other	\$0	\$5,007,833
13			
14	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$0</u>	<u>\$5,007,833</u>

15     **HEALTH AND HUMAN SERVICES,**  
16     **DEPARTMENT OF (FORMERLY DHS)**  
17     **DEPARTMENT TOTALS**

18		<b>2017-18</b>	<b>2018-19</b>
19	<b>GENERAL FUND</b>	\$0	\$3,659,733
20	<b>FEDERAL EXPENDITURES FUND</b>	\$0	\$5,007,833
21			
22	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u>\$0</u>	<u>\$8,667,566</u>
23			

24   **SUMMARY**

25             This amendment clarifies that all home-based and community-based services that  
26             were included in the Burns & Associates, Inc. rate review are included in the resolve and  
27             that the reimbursement rates are to be increased to the levels recommended in the rate  
28             study. The amendment ensures that a recipient of services may not experience a  
29             reduction in hours solely as a result of increased reimbursement. The amendment also  
30             adds an appropriations and allocations section.

31   **FISCAL NOTE REQUIRED**

32   (See attached)



# 128th MAINE LEGISLATURE

LD 643

LR 1606(02)

Resolve, Directing the Department of Health and Human Services To Increase Reimbursement Rates for Home-based and Community-based Services

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-176)

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	\$3,659,733	\$3,659,733	\$3,659,733
<b>Appropriations/Allocations</b>				
General Fund	\$0	\$3,659,733	\$3,659,733	\$3,659,733
Federal Expenditures Fund	\$0	\$5,007,833	\$5,007,833	\$5,007,833
<b>Revenue</b>				
Federal Expenditures Fund	\$0	\$5,007,833	\$5,007,833	\$5,007,833

### Fiscal Detail and Notes

The bill includes General Fund appropriations to the Department of Health and Human Services of \$3,659,733 beginning in fiscal year 2017-18 to increase rates for certain services to be effective July 1, 2018. Federal Expenditures Fund allocations will also be required for the FMAP match.