

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 841

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H.P. 590

House of Representatives, March 7, 2017

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### **An Act To Provide Stability in MaineCare Payments for Educational Programming**

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Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

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

ROBERT B. HUNT  
Clerk

Presented by Representative MELARAGNO of Auburn.  
Cosponsored by Representatives: BICKFORD of Auburn, FULLER of Lewiston, HANDY of Lewiston, LAWRENCE of South Berwick, POULIOT of Augusta, SHEATS of Auburn, STEARNS of Guilford, Senator: LIBBY of Androscoggin.

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

2 **Sec. 1. 20-A MRSA §15689-A, sub-§22**, as amended by PL 2015, c. 63, §1, is  
3 further amended to read:

4 **22. MaineCare seed for school administrative units.** The commissioner may  
5 ~~deduct from a school administrative unit's state subsidy and~~ pay on behalf of ~~the~~ a school  
6 administrative unit allowable school-based costs that represent the school administrative  
7 unit's portion of MaineCare payments. A transfer of payment by the department to the  
8 Department of Health and Human Services must be made pursuant to a schedule agreed  
9 upon by the Department of Health and Human Services and the department and in a  
10 manner that remains in compliance with federal intergovernmental transfer requirements.  
11 No later than 90 days after the incurrence of allowable school-based payments to schools,  
12 the Department of Health and Human Services shall provide the detailed payment  
13 information to the department. The department shall make this information available and  
14 apply the adjustment to the appropriate school administrative units within 30 days of  
15 receipt of the detailed payment information from the Department of Health and Human  
16 Services. The commissioner may not deduct from a school administrative unit's state  
17 subsidy any payments made under this subsection.

18 **SUMMARY**

19 Under current law, the Department of Education is authorized to pay on behalf of a  
20 school administrative unit allowable school-based costs that represent the school  
21 administrative unit's portion of MaineCare payments. Current law also provides that the  
22 department may then deduct that amount from the school administrative unit's state  
23 subsidy. This bill changes the law to provide that the department may not deduct from a  
24 school administrative unit's state subsidy such payments.