

MAINE STATE LEGISLATURE

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Date: 5/31/17

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. 680, L.D. 967, Bill, "An Act To Ensure Access to Community Services for Persons with Intellectual Disabilities or Autism"

Amend the bill in section 1 in §3195 in subsection 2 in paragraph B in the 4th line (page 2, line 2 in L.D.) by inserting after the following: "program;" the following: 'and'

Amend the bill in section 1 in §3195 in subsection 2 by striking out all of paragraphs C and D (page 2, lines 3 to 11 in L.D.).

Amend the bill in section 1 in §3195 in subsection 2 by relettering the paragraphs to read alphabetically.

Amend the bill by inserting after section 1 the following:

'Sec. 2. Immediate rate increases. The Department of Health and Human Services shall increase reimbursement rates in accordance with this section.

1. Section 21 rules. No later than October 1, 2017, the Department of Health and Human Services shall amend its rules to increase reimbursement rates by 10% over the reimbursement levels implemented in 2007 pursuant to Public Law 2005, chapter 12, Part CCCC, section 1 for the following procedure codes provided in Chapter 101: MaineCare Benefits Manual, Chapter III, Section 21:

- A. T2017 home support;
- B. T2017 SC home support with medical add-on;
- C. T2017 GT home support - remote support;
- D. T2016 agency home support;
- E. T2016 agency home support over 168 hours;
- F. T2016 SC agency home support with medical add-on;
- G. S5140 shared living foster care, adult, one member;

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- 1 H. S5140 TG shared living foster care, adult, one member, increased level of
2 support;
- 3 I. S5140 UN shared living foster care, adult, 2 members;
- 4 J. S5140 UN TG shared living foster care, adult, 2 members, increased level of
5 support;
- 6 K. T2021 community support;
- 7 L. T2021 SC community support with medical add-on;
- 8 M. T2015 career planning;
- 9 N. T2019 employment specialist services;
- 10 O. T2019 SC employment specialist services with medical add-on;
- 11 P. H2023 work support, individual;
- 12 Q. H2023 SC work support with medical add-on;
- 13 R. H2023 UN work support, group, 2 members;
- 14 S. H2023 UP work support, group, 3 members;
- 15 T. H2023 UQ work support, group, 4 members;
- 16 U. H2023 UR work support, group, 5 members;
- 17 V. H2023 US work support, group, 6 members; and
- 18 W. T2034 crisis intervention services.

19 **2. Section 29 rules.** No later than October 1, 2017, the Department of Health and
20 Human Services shall amend its rules to increase reimbursement rates by 10% over the
21 reimbursement levels implemented in 2007 pursuant to Public Law 2005, chapter 12, Part
22 CCCC, section 1 for the following procedure codes provided in Chapter 101: MaineCare
23 Benefits Manual, Chapter III, Section 29:

- 24 A. T2017 home support, 1/4 hour;
- 25 B. T2017 GT home support, remote support;
- 26 C. T2021 community support;
- 27 D. T2021 SC community support with medical add-on;
- 28 E. T2019 employment specialist services;
- 29 F. T2019 SC employment specialist services with medical add-on;
- 30 G. H2023 work support, individual;
- 31 H. H2023 SC work support - supported employment with medical add-on;
- 32 I. H2023 UN work support, group, 2 members;
- 33 J. H2023 UP work support, group, 3 members;
- 34 K. H2023 UQ work support, group, 4 members;
- 35 L. H2023 UR work support, group, 5 members;
- 36 M. H2023 US work support, group, 6 members;

- 1 N. T2015 career planning;
- 2 O. S5150 respite, 1/4 hour; and
- 3 P. S5151 respite, per diem.

4 **3. Major substantive rules.** Rules adopted pursuant to this section are major
 5 substantive rules as defined in the Maine Revised Statutes, Title 5, chapter 375,
 6 subchapter 2-A.

7 **Sec. 3. Savings efforts.** The Department of Health and Human Services and
 8 representatives of organizations of providers of community support services for
 9 individuals with intellectual disabilities and autism shall examine current reimbursement
 10 rates, costs of providing services, labor costs and administrative overhead costs to
 11 determine opportunities for efficiencies and savings. The department and providers shall
 12 present a report to the Joint Standing Committee on Health and Human Services with
 13 findings no later than January 1, 2018.

14 **Sec. 4. Appropriations and allocations.** The following appropriations and
 15 allocations are made.

16 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)**

17 **Developmental Services Waiver - MaineCare 0987**

18 Initiative: Provides appropriations due to a change in the rates provided for home-based
 19 and community-based care for individuals with intellectual disabilities or autism.

20	GENERAL FUND	2017-18	2018-19
21	All Other	\$23,363,478	\$23,371,358
22			
23	GENERAL FUND TOTAL	<u>\$23,363,478</u>	<u>\$23,371,358</u>

24 **Developmental Services Waiver - Supports Z006**

25 Initiative: Provides appropriations due to a change in the rates provided for home-based
 26 and community-based care for individuals with intellectual disabilities or autism.

27	GENERAL FUND	2017-18	2018-19
28	All Other	\$3,159,904	\$3,160,970
29			
30	GENERAL FUND TOTAL	<u>\$3,159,904</u>	<u>\$3,160,970</u>

31 **Medicaid Services - Developmental Services 0705**

32 Initiative: Provides allocations due to a change in the rates provided for home-based and
 33 community-based care for individuals with intellectual disabilities or autism.

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1	OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
2	All Other	\$5,367,295	\$5,367,295
3			
4	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$5,367,295</u>	<u>\$5,367,295</u>
5	HEALTH AND HUMAN SERVICES,		
6	DEPARTMENT OF (FORMERLY BDS)		
7	DEPARTMENT TOTALS	2017-18	2018-19
8			
9	GENERAL FUND	\$26,523,382	\$26,532,328
10	OTHER SPECIAL REVENUE FUNDS	\$5,367,295	\$5,367,295
11			
12	DEPARTMENT TOTAL - ALL FUNDS	<u>\$31,890,677</u>	<u>\$31,899,623</u>
13	HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)		
14	Medical Care - Payments to Providers 0147		
15	Initiative: Provides allocations due to a change in the rates provided for home-based and		
16	community-based care for individuals with intellectual disabilities or autism.		
17	FEDERAL EXPENDITURES FUND	2017-18	2018-19
18	All Other	\$57,564,238	\$57,555,293
19			
20	FEDERAL EXPENDITURES FUND TOTAL	<u>\$57,564,238</u>	<u>\$57,555,293</u>
21	Office of MaineCare Services 0129		
22	Initiative: Provides appropriations and allocations for the Department of Administrative		
23	and Financial Services, Office of Information Technology to update and test changes to		
24	the Enterprise Information System.		
25	GENERAL FUND	2017-18	2018-19
26	All Other	\$38,160	\$0
27			
28	GENERAL FUND TOTAL	<u>\$38,160</u>	<u>\$0</u>
29	FEDERAL EXPENDITURES FUND	2017-18	2018-19
30	All Other	\$38,160	\$0
31			
32	FEDERAL EXPENDITURES FUND TOTAL	<u>\$38,160</u>	<u>\$0</u>

1	HEALTH AND HUMAN SERVICES,		
2	DEPARTMENT OF (FORMERLY DHS)		
3	DEPARTMENT TOTALS	2017-18	2018-19
4			
5	GENERAL FUND	\$38,160	\$0
6	FEDERAL EXPENDITURES FUND	\$57,602,398	\$57,555,293
7			
8	DEPARTMENT TOTAL - ALL FUNDS	<u>\$57,640,558</u>	<u>\$57,555,293</u>
9	SECTION TOTALS	2017-18	2018-19
10			
11	GENERAL FUND	\$26,561,542	\$26,532,328
12	FEDERAL EXPENDITURES FUND	\$57,602,398	\$57,555,293
13	OTHER SPECIAL REVENUE FUNDS	\$5,367,295	\$5,367,295
14			
15	SECTION TOTAL - ALL FUNDS	<u>\$89,531,235</u>	<u>\$89,454,916</u>
16			

17 **SUMMARY**

18 This amendment directs the Department of Health and Human Services to increase
 19 reimbursement rates by 10% over the reimbursement levels implemented in 2007
 20 pursuant to Public Law 2005, chapter 12, Part CCCC, section 1 for services provided
 21 under Chapter 101: MaineCare Benefits Manual, Chapter III, Sections 21 and 29 no later
 22 than October 1, 2017. The amendment narrows the services that are reimbursed to codes
 23 that provide direct support services to the MaineCare members receiving services under
 24 the waiver programs. It also directs the department and representatives of organizations
 25 of providers of community support services for individuals with intellectual disabilities
 26 and autism to examine reimbursement rates, costs of providing services and other costs to
 27 determine opportunities for efficiencies and savings. The department and the providers
 28 are required to report findings to the Joint Standing Committee on Health and Human
 29 Services no later than January 1, 2018. This amendment also adds an appropriations and
 30 allocations section.

31 **FISCAL NOTE REQUIRED**

32 (See attached)



128th MAINE LEGISLATURE

LD 967

LR 1785(03)

An Act To Ensure Access to Community Services for Persons with Intellectual Disabilities or Autism

Fiscal Note for Bill as Amended by Committee Amendment *A(H-342)*

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
Net Cost (Savings)				
General Fund	\$26,561,542	\$26,532,328	\$26,532,328	\$26,532,328
Appropriations/Allocations				
General Fund	\$26,561,542	\$26,532,328	\$26,532,328	\$26,532,328
Federal Expenditures Fund	\$57,602,398	\$57,555,293	\$57,555,293	\$57,555,293
Other Special Revenue Funds	\$5,367,295	\$5,367,295	\$5,367,295	\$5,367,295
Revenue				
Federal Expenditures Fund	\$57,602,398	\$57,555,293	\$57,555,293	\$57,555,293
Other Special Revenue Funds	\$5,367,295	\$5,367,295	\$5,367,295	\$5,367,295

Fiscal Detail and Notes

The bill includes General Fund appropriations to the Department of Health and Human Services of \$26,561,542 in fiscal year 2017-18 and \$26,532,328 in fiscal year 2018-19 due to a change in the rates provided for home-based and community-based care for individuals with intellectual disabilities or autism and to update and test changes to the Enterprise Information System. Federal Expenditures Fund allocations are also included for the FMAP match and Other Special Revenue Funds allocations for the service provider tax.