

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1214

S.P. 408

In Senate, March 28, 2017

An Act To Create Fairness in Home-based Care Fees for Service

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator LIBBY of Androscoggin.

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

2 **Sec. 1. 22 MRSA §7312**, as enacted by PL 2009, c. 279, §4, is amended to read:

3 **§7312. Rules**

4 The department shall adopt rules as necessary for the effective administration of the
5 program pursuant to this chapter, in accordance with the Maine Administrative Procedure
6 Act. In the development of such rules, the department shall consult with consumers,
7 representatives of consumers and providers. Rules adopted pursuant to this section are
8 major substantive rules as defined by Title 5, chapter 375, subchapter 2-A. Rules adopted
9 pursuant to this section may not require a person receiving services under a state-funded
10 program pursuant to this chapter to make a monthly payment toward the administrative
11 cost of coordination services if an in-home care service was not provided in that month.

12 **SUMMARY**

13 This bill provides that rules adopted by the Department of Health and Human
14 Services for the administration of the program for in-home and community support
15 services for the elderly may not require a person receiving services under a state-funded
16 program to make a monthly payment toward the administrative cost of coordination
17 services if an in-home care service was not provided in that month.