

MAINE STATE LEGISLATURE

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Date: 5/30/19 Majority

L.D. 775
(Filing No. H- 483)

3 HEALTH AND HUMAN SERVICES

4 Reproduced and distributed under the direction of the Clerk of the House.

5 STATE OF MAINE

6 HOUSE OF REPRESENTATIVES

7 129TH LEGISLATURE

8 FIRST REGULAR SESSION

9 COMMITTEE AMENDMENT "A" to H.P. 580, L.D. 775, Bill, "An Act To
10 Expand Community Support Services for Certain Adult Members of the MaineCare
11 Program"

12 Amend the bill by striking out the title and substituting the following:

13 **'Resolve, To Direct the Department of Health and Human Services To Amend Its**
14 **Rules for Eligibility for Community Support Services'**

15 Amend the bill by striking out everything after the title and inserting the following:

16 **'Sec. 1. Department of Health and Human Services to amend eligibility**
17 **criteria for community support services. Resolved:** That, no later than January
18 15, 2020, the Department of Health and Human Services shall amend its rule Chapter
19 101: MaineCare Benefits Manual, Chapter II, Section 17, Community Support Services
20 concerning eligibility criteria for services under that section. The department shall
21 include in the eligibility determination an assessment of whether an individual has
22 significant impairment or limitation in adaptive behavior or functioning related to the
23 individual's primary clinical diagnosis. The department shall also consider:

24 1. Including in the list of clinical diagnoses that are automatically eligible for
25 services additional clinical diagnoses of conditions that substantially interfere with or
26 limit one or more major life activities; and

27 2. Expanding the situations in which an individual might be at risk of harm if the
28 individual were to have future episodes related to the individual's primary clinical
29 diagnosis.

30 **Sec. 2. Report. Resolved:** That the Department of Health and Human Services
31 shall report to the Joint Standing Committee on Health and Human Services by January
32 15, 2020 on the rulemaking process, proposed and provisionally adopted rules and
33 justification for the adoption of the proposed rules as provided in section 1. The Joint
34 Standing Committee on Health and Human Services may report out legislation to the
35 Second Regular Session of the 129th Legislature regarding the subject matter of the rules

COMMITTEE AMENDMENT

2019

COMMITTEE AMENDMENT "A" to H.P. 580, L.D. 775

1 adopted in Chapter 101: MaineCare Benefits Manual, Chapter II, Section 17, Community
2 Support Services as provided in section 1.'

3 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
4 section number to read consecutively.

5 **SUMMARY**

6 This amendment, which is the majority report of the committee, strikes and replaces
7 the bill with a resolve. It directs the Department of Health and Human Services to amend
8 its rule Chapter 101: MaineCare Benefits Manual, Chapter II, Section 17, Community
9 Support Services concerning eligibility criteria for services under that section. It requires
10 the department to report to the Joint Standing Committee on Health and Human Services
11 by January 15, 2020 on the rulemaking process, proposed and provisionally adopted rules
12 and justification for the adoption of the proposed rules. It authorizes the committee to
13 report out legislation regarding the subject matter of the rules.

14 **FISCAL NOTE REQUIRED**

15 (See attached)



Approved: 05/23/19 *MAC*

129th MAINE LEGISLATURE

LD 775

LR 625(02)

An Act To Expand Community Support Services for Certain Adult Members of the MaineCare Program

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-403)
Committee: Health and Human Services
Fiscal Note Required: Yes

Fiscal Note

Potential current biennium cost increase - General Fund
Potential current biennium cost increase - Federal Expenditures Fund

Fiscal Detail and Notes

The bill requires the Department of Health and Human Services to amend eligibility criteria under Chapter 101: MaineCare Benefits Manual, Chapter III, Section 17, Allowances for Community Support Services. The eligibility changes are not outlined in the bill, rather the department is given multiple considerations to include in the eligibility assessment of an individual. These changes should add back some eligible individuals for coverage under this section of policy who were removed in February of 2016 with no baseline deappropriation. As there was no deappropriation when eligibility changes were made in February 2016, some of the costs associated with the changes in this bill will not require new appropriations. However, as the specific requirements for being eligible will not be known until the department updates the eligibility process, it is possible some individuals who were not eligible in February 2016 will become eligible now and require new appropriations and allocations. It is not known how many new individuals will be eligible for this service, so no estimate of the new costs are made at this time.