MAINE STATE LEGISLATURE

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L.D. 981 1 Date: 5/7/19 Minority (Filing No. H- 216) 2 HEALTH AND HUMAN SERVICES 3 Reproduced and distributed under the direction of the Clerk of the House. 4 STATE OF MAINE 5 HOUSE OF REPRESENTATIVES 6 7 129TH LEGISLATURE FIRST REGULAR SESSION 8 COMMITTEE AMENDMENT "H" to H.P. 736, L.D. 981, Bill, "An Act To 9 Implement the State's Recently Approved Request for a Section 1115 Demonstration for 10 MaineCare" 11 Amend the bill by striking out the title and substituting the following: 12 'Resolve, To Submit a Request for a Section 1115 Waiver To Require Work 13 Participation for MaineCare Eligibility' 14 Amend the bill by striking out everything after the title and inserting the following: 15 Sec. 1. Department of Health and Human Services to submit Section 16 1115 waiver. Resolved: That, no later than January 1, 2020, the Department of 17 Health and Human Services shall submit a waiver request to the United States 18 Department of Health and Human Services, Centers for Medicare and Medicaid Services 19 to implement a Medicaid demonstration that does the following: 20 21 1. Community engagement and work requirements. As a condition of eligibility for MaineCare, certain adult beneficiaries 19 to 64 years of age shall participate in 20 22 hours per week of community engagement activities such as employment, education, job 23 skills training, job search activities and community service. To remain eligible for 24 MaineCare, a nonexempt recipient may have no more than 3 months of noncompliance 25 26 within a 36-month period. Adult beneficiaries exempt from this subsection are: women who are pregnant or 60 days postpartum; individuals receiving temporary or permanent 27 disability benefits; individuals who are physically or mentally unable to participate in 28 29 community engagement or work requirements for 20 hours a week as determined by a medical provider; individuals who reside in a residential facility where the individual is 30 31 participating in a residential substance use disorder treatment and rehabilitation program; designated caretakers of a child under 6 years of age; caregivers who are responsible for 32 the care of an incapacitated individual; and individuals who have a disability as defined 33 by federal disabilities rights laws; and 34 35 2. Premiums and cost sharing. As a requirement of eligibility for MaineCare,

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adult beneficiaries 19 to 64 years of age are subject to monthly premiums that may not



COMMITTEE AMENDMENT "To H.P. 736, L.D. 981

exceed 2% of household income except that individuals with income at or below 50% of the federal poverty level are not subject to premiums. For MaineCare members earning above 50% but not more than 100% of the federal poverty level, the premium is \$10 per month. For MaineCare members earning above 100% but not more than 150% of the federal poverty level, the premium is \$20 per month. For MaineCare members earning above 150% but not more than 200% of the federal poverty level, the premium is \$30 per month. For MaineCare members earning above 200% of the federal poverty level, the premium is \$40 per month.

Upon approval of the waiver, the department shall implement the provisions of the waiver within 6 months of approval.

Sec. 2. Participation in the marketplace exchange for certain populations.

Resolved: That the Department of Health and Human Services shall examine the possibilities for MaineCare members who earn between 100% and 138% of the federal poverty level to purchase private insurance, including on the federal marketplace exchange established pursuant to the federal Patient Protection and Affordable Care Act, and take all practicable steps to assist MaineCare members at this income level to purchase private insurance, including on the exchange.

Sec. 3. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF

Medical Care - Payments to Providers 0147

Initiative: Deappropriates and deallocates funds to account for premium payments from members.

24	GENERAL FUND	2019-20	2020-21
25	All Other	(\$208,489)	(\$423,353)
26			
27	GENERAL FUND TOTAL	(\$208,489)	(\$423,353)
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28	FEDERAL EXPENDITURES FUND	2019-20	2020-21
29	All Other	(\$462,619)	(\$918,862)
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31	FEDERAL EXPENDITURES FUND TOTAL	(\$462,619)	(\$918,862)

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

35 SUMMARY

This amendment replaces the concept draft and is the minority report of the committee. The amendment requires the Department of Health and Human Services to submit a request for a Section 1115 waiver similar to the waiver that was approved in

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COMMITTEE AMENDMENT

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2018 and withdrawn in January 2019. The waiver would require MaineCare members 19 to 64 years of age who are considered able bodied to participate in work or similar activities for 20 hours a week and pay monthly premiums based on income. The department is required to examine the possibilities for MaineCare members earning 100% to 138% of the federal poverty level to purchase private health insurance, including on the federal marketplace exchange established under the Patient Protection and Affordable Care Act, and take all practicable steps to assist those members to purchase private insurance. The amendment also adds an appropriations and allocations section.

FISCAL NOTE REQUIRED (See attached)

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129th MAINE LEGISLATURE

LD 981

LR 1808(02)

An Act To Implement the State's Recently Approved Request for a Section 1115 Demonstration for MaineCare

Fiscal Note for Bill as Amended by Committee Amendment (H-216)

Committee: Health and Human Services

Fiscal Note Required: Yes

Fiscal Note

	FY 2019-20	FY 2020-21	Projections FY 2021-22	Projections FY 2022-23
Net Cost (Savings)				
General Fund	(\$208,489)	(\$423,353)	(\$423,574)	(\$423,574)
Appropriations/Allocations				
General Fund	(\$208,489)	(\$423,353)	(\$423,574)	(\$423,574)
Federal Expenditures Fund	(\$462,619)	(\$918,862)	(\$918,641)	(\$918,641)
Revenue				
Federal Expenditures Fund	(\$462,619)	(\$918,862)	(\$918,641)	(\$918,641)

Fiscal Detail and Notes

The bill includes General Fund deappropriations to the Department of Health and Human Services of \$208,489 in fiscal year 2019-20 and \$423,353 in fiscal year 2020-21 to account for premium payments from members. Federal Expenditures Fund deallocations are also included for the FMAP match.