

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1106

H.P. 810

House of Representatives, March 5, 2019

An Act To Improve the Health and Economic Security of Older Residents

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

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

ROBERT B. HUNT
Clerk

Presented by Representative BRENNAN of Portland.
Cosponsored by Representative MORALES of South Portland, Senator VITELLI of Sagadahoc and Representatives: CRAVEN of Lewiston, DODGE of Belfast, FARNSWORTH of Portland, GRAMLICH of Old Orchard Beach, PERRY of Calais, TALBOT ROSS of Portland, Senator: CARSON of Cumberland.

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

2 **Sec. 1. 22 MRSA §254-D, sub-§4, ¶B**, as amended by PL 2015, c. 267, Pt. TT,
3 §1, is further amended to read:

4 B. An individual is eligible for the program if that individual:

5 (1) Is a legal resident of the State;

6 (2) Meets the income eligibility criteria set forth in this section or is eligible for
7 both MaineCare and Medicare Part D;

8 (3) Does not receive full MaineCare pharmaceutical benefits; and

9 (4) Is at least 62 years of age, or is 19 years of age or older and determined to be
10 disabled by the standards of the federal social security program. A person who
11 was eligible for the program at any time from August 1, 1998 to July 31, 1999
12 and who does not meet the requirements of this subparagraph at the time of
13 application or renewal retains eligibility for the program if that person is a
14 member of a household of an eligible person; and.

15 ~~(5) Does not have more than \$50,000 individually or more than \$75,000 per~~
16 ~~couple in liquid assets.~~

17 **Sec. 2. 22 MRSA §254-D, sub-§4, ¶D**, as amended by PL 2011, c. 657, Pt. HH,
18 §1, is further amended to read:

19 D. Income eligibility of individuals must be determined by this paragraph and by
20 reference to the federal poverty guidelines for the 48 contiguous states and the
21 District of Columbia, as defined by the federal Office of Management and Budget
22 and revised annually in accordance with the United States Omnibus Budget
23 Reconciliation Act of 1981, Section 673, Subsection 2, Public Law 97-35,
24 reauthorized by Public Law 105-285, Section 201 (1998). If the household income is
25 not more than ~~175%~~ 185% of the federal poverty guideline applicable to the
26 household, the individual is eligible for the basic program and the supplemental
27 program. Individuals are also eligible for the basic and the supplemental program if
28 the household spends at least 40% of its income on unreimbursed direct medical
29 expenses for prescription drugs and medications and the household income is not
30 more than 25% higher than the levels specified in this paragraph. For the purposes of
31 this paragraph, the cost of drugs provided to a household under this section is
32 considered a cost incurred by the household for eligibility determination purposes.

33 **Sec. 3. Eligibility levels increased for the Medicare savings program;**
34 **state plan amendment.** The Department of Health and Human Services shall increase
35 no later than January 1, 2020 the income eligibility levels for the Medicare savings
36 program as follows:

37 1. The Qualified Medicare Beneficiary program to income not more than 150% of
38 the federal poverty level;

39 2. The Specified Low-Income Medicare Beneficiary program to income more than
40 150% but not more than 170% of the federal poverty level; and

