

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1125

S.P. 345

In Senate, March 7, 2019

**An Act To Amend MaineCare Reimbursement Related to Bad Debt
and Bed-hold Days**

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator TIMBERLAKE of Androscoggin.
Cosponsored by Representative MORRIS of Turner and
Senators: BLACK of Franklin, CLAXTON of Androscoggin, KEIM of Oxford, MOORE of
Washington, Representative: PERRY of Calais.

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

2 **Sec. 1. 22 MRSA §1708, sub-§5** is enacted to read:

3 **5. Nursing home bad debt.** A nursing home, as defined under section 1812-A,
4 including any portion of a hospital or institution operated as a nursing home, when the
5 State is liable for payment for care, must be reimbursed at a rate established by the
6 department pursuant to this subsection. When a nursing home incurs bad debt due to
7 nonpayment for patient care because the patient was determined ineligible for MaineCare
8 and the nursing home has undertaken all reasonable collection efforts, the department
9 must reimburse 50% of the MaineCare rate for up to 6 months of care as if that patient
10 had been eligible for MaineCare. The department shall adopt rules no later than January
11 1, 2020 to implement this subsection. Rules adopted pursuant to this subsection are
12 routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

13 **Sec. 2. Adult family care home reimbursement for bed-hold days.** No later
14 than January 1, 2020, the Department of Health and Human Services shall amend its rule
15 Chapter 101: MaineCare Benefits Manual, Chapter III, Section 2, Adult Family Care
16 Services to reimburse for up to 30 bed-hold days per calendar year, days a resident is
17 absent from a facility due to hospitalization, visits with family or friends or other
18 appropriate causes determined by the department. The rate of reimbursement must be at
19 least equal to the rate for bed-hold days provided to residential care facilities under the
20 department's rule Chapter 115: Principles of Reimbursement for Residential Care
21 Facilities.

22 **SUMMARY**

23 This bill requires the Department of Health and Human Services to reimburse up to
24 50% of the MaineCare rate for patient care for a maximum of 6 months to nursing homes
25 for bad debt incurred when a patient is provided care but is determined ineligible for
26 MaineCare and the nursing home has made all reasonable efforts to collect on the debt.
27 The bill also requires the Department of Health and Human Services to reimburse adult
28 family care homes for up to 30 bed-hold days per calendar year in the same manner as
29 residential care facilities are reimbursed.