

# MAINE STATE LEGISLATURE

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# 129th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2020

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Legislative Document

No. 1940

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H.P. 1384

House of Representatives, January 8, 2020

**Resolve, Directing the Department of Health and Human Services  
To Increase MaineCare Reimbursement Rates for Targeted Case  
Management Services To Reflect Inflation**

(EMERGENCY)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

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

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

ROBERT B. HUNT  
Clerk

Presented by Representative MEYER of Eliot.  
Cosponsored by Senator SANBORN, L. of Cumberland and  
Representatives: FAY of Raymond, GATTINE of Westbrook, McCREIGHT of Harpswell,  
STOVER of Boothbay, TEPLER of Topsham.

1           **Emergency preamble. Whereas,** acts and resolves of the Legislature do not  
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3           **Whereas,** due to extensive waiting lists for both children's services and adult  
4 services, targeted case management services are necessary to meet the essential health  
5 needs of people with disabilities; and

6           **Whereas,** for more than 250 families on the waiting list for Section 29 services,  
7 targeted case management services are the only connection to essential support; and

8           **Whereas,** the reimbursement rate for targeted case management services has not  
9 been adjusted since 2009 despite rising costs of wages, health insurance, technology and  
10 travel and other costs; and

11           **Whereas,** case managers' duties and mandates have increased over the past decade  
12 including required activities that are unreimbursed; and

13           **Whereas,** the State discontinued its own case management services in 2017 and  
14 increased the case load for targeted case management services delivered by community  
15 providers by more than 1,200 adults with intellectual and developmental disabilities; and

16           **Whereas,** without an immediate increase in reimbursement to offset a decade of  
17 inflation, providers will be unable to maintain the capacity needed to ensure individuals  
18 with intellectual and developmental disabilities have access to targeted case management  
19 services; and

20           **Whereas,** it is therefore essential that the Department of Health and Human Services  
21 amend its reimbursement rules to increase rates for targeted case management services no  
22 later than April 1, 2020; and

23           **Whereas,** in the judgment of the Legislature, these facts create an emergency within  
24 the meaning of the Constitution of Maine and require the following legislation as  
25 immediately necessary for the preservation of the public peace, health and safety; now,  
26 therefore, be it

27           **Sec. 1. Department of Health and Human Services to amend rules.**

28           **Resolved:** That, notwithstanding any provision of law to the contrary, no later than  
29 April 1, 2020, the Department of Health and Human Services shall amend its rules in  
30 Chapter 101: MaineCare Benefits Manual, Chapter III, Section 13, Targeted Case  
31 Management Services to increase reimbursement rates for targeted case management  
32 services by a percentage equivalent to the cumulative increase in costs measured by the  
33 United States Department of Labor, Bureau of Labor Statistics Consumer Price Index  
34 medical care services index in each year from 2010 to 2019.

35           **Emergency clause.** In view of the emergency cited in the preamble, this  
36 legislation takes effect when approved.

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## **SUMMARY**

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This resolve requires the Department of Health and Human Services to amend its

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rules governing MaineCare reimbursement for targeted case management services to

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provide an increase reflecting cost increases from 2010 to 2019.