

MAINE STATE LEGISLATURE

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Amendment Name: Amendment CA (S-455) (LD 1984 2020)

Date: 8/3/2020

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Date: (Filing No. S-)

HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
SENATE
129TH LEGISLATURE
SECOND SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 686, L.D. 1984, Bill, “An Act To Eliminate Waiting Lists for Home and Community-based Services for Adults with Intellectual Disabilities, Autism, Brain Injury and Other Related Conditions”

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

'An Act To Eliminate Waiting Lists for Support Services for Adults with Intellectual Disabilities or Autism and Reduce Waiting Lists for Home and Community-based Services for Adults with Intellectual Disabilities or Autism'

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

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

Whereas, persons with disabilities have the right to dignity and to receive the support they need to work and to be otherwise included in their communities; and

Whereas, many persons with disabilities have an urgent need for adult home and community-based services to provide support and to enable their family members to work; and

Whereas, as of December 2019, more than 180 persons on the waiting list for services under the MaineCare Benefits Manual, Chapters II and III, Section 21 were receiving no services at all; and

Whereas, providing and increasing services for all MaineCare members eligible for services under the MaineCare Benefits Manual, Chapters II and III, Section 29 protects their dignity and ensures their safety; and

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

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

COMMITTEE AMENDMENT

1 **Sec. 1. Appropriations and allocations.** The following appropriations and
 2 allocations are made.

3 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**
 4 **Developmental Services - Community Z208**

5 Initiative: Provides funding for one Social Services Program Specialist II and 2
 6 Developmental Disabilities Resources Coordinator positions.

7	GENERAL FUND	2019-20	2020-21
8	POSITIONS - LEGISLATIVE COUNT	0.000	3.000
9	Personal Services	\$0	\$106,774
10	All Other	\$0	\$14,181
11			
12	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$120,955</u>

13 **Developmental Services Waiver - MaineCare Z211**

14 Initiative: Provides funding to provide services to individuals with developmental
 15 disabilities or autism spectrum disorder on the waiting list for community-based services
 16 provided under the MaineCare Benefits Manual, Chapters II and III, Section 21, Home
 17 and Community Benefits for Members with Intellectual Disabilities or Autism Spectrum
 18 Disorder, who are designated Priority 2 and are receiving no other MaineCare home and
 19 community-based or support services.

20	GENERAL FUND	2019-20	2020-21
21	All Other	\$0	\$3,014,668
22			
23	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$3,014,668</u>

24 **Developmental Services Waiver - Supports Z212**

25 Initiative: Provides funding for an increase in the annual cap to \$70,000 for services
 26 provided under the MaineCare Benefits Manual, Chapters II and III, Section 29, Support
 27 Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder.

28	GENERAL FUND	2019-20	2020-21
29	All Other	\$0	\$2,473,669
30			
31	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$2,473,669</u>

32 **Developmental Services Waiver - Supports Z212**

33 Initiative: Provides funding to eliminate the waiting list for services provided under the
 34 MaineCare Benefits Manual, Chapters II and III, Section 29, Support Services for Adults
 35 with Intellectual Disabilities or Autism Spectrum Disorder, through June 30, 2021.

1	GENERAL FUND	2019-20	2020-21
2	All Other	\$0	\$1,874,327
3			
4	GENERAL FUND TOTAL	\$0	\$1,874,327

5 **Medicaid Services - Developmental Services Z210**

6 Initiative: Provides allocations for an increase in the annual cap to \$70,000 for services
 7 provided under the MaineCare Benefits Manual, Chapters II and III, Section 29, Support
 8 Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder.

9	OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
10	All Other	\$0	\$489,810
11			
12	OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$489,810

13 **Medicaid Services - Developmental Services Z210**

14 Initiative: Provides allocations to provide services to individuals with developmental
 15 disabilities or autism spectrum disorder on the waiting list for community-based services
 16 provided under the MaineCare Benefits Manual, Chapters II and III, Section 21, Home
 17 and Community Benefits for Members with Intellectual Disabilities or Autism Spectrum
 18 Disorder, who are designated Priority 2 and are receiving no other MaineCare home and
 19 community-based or support services.

20	OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
21	All Other	\$0	\$596,766
22			
23	OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$596,766

24 **Medicaid Services - Developmental Services Z210**

25 Initiative: Provides allocations to eliminate the waiting list for services provided under
 26 the MaineCare Benefits Manual, Chapters II and III, Section 29, Support Services for
 27 Adults with Intellectual Disabilities or Autism Spectrum Disorder, through June 30, 2021.

28	OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
29	All Other	\$0	\$371,058
30			
31	OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$371,058

32 **Medical Care - Payments to Providers 0147**

1 Initiative: Provides allocations for an increase in the annual cap to \$70,000 for services
 2 provided under the MaineCare Benefits Manual, Chapters II and III, Section 29, Support
 3 Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder.

4	FEDERAL EXPENDITURES FUND	2019-20	2020-21
5	All Other	\$0	\$5,200,048
6			
7	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$5,200,048</u>

8 **Medical Care - Payments to Providers 0147**

9 Initiative: Provides allocations to provide services to individuals with developmental
 10 disabilities or autism spectrum disorder on the waiting list for community-based services
 11 provided under the MaineCare Benefits Manual, Chapters II and III, Section 21, Home
 12 and Community Benefits for Members with Intellectual Disabilities or Autism Spectrum
 13 Disorder, who are designated Priority 2 and are receiving no other MaineCare home and
 14 community-based or support services.

15	FEDERAL EXPENDITURES FUND	2019-20	2020-21
16	All Other	\$0	\$6,334,678
17			
18	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$6,334,678</u>

19 **Medical Care - Payments to Providers 0147**

20 Initiative: Provides allocations to eliminate the waiting list for services provided under
 21 the MaineCare Benefits Manual, Chapters II and III, Section 29, Support Services for
 22 Adults with Intellectual Disabilities or Autism Spectrum Disorder, through June 30, 2021.

23	FEDERAL EXPENDITURES FUND	2019-20	2020-21
24	All Other	\$0	\$3,938,884
25			
26	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$3,938,884</u>

27 **Office of MaineCare Services 0129**

28 Initiative: Provides allocations for one Social Services Program Specialist II and 2
 29 Developmental Disabilities Resources Coordinator positions.

30	FEDERAL EXPENDITURES FUND	2019-20	2020-21
31	Personal Services	\$0	\$106,774
32	All Other	\$0	\$14,181
33			
34	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$120,955</u>

1	HEALTH AND HUMAN SERVICES,		
2	DEPARTMENT OF		
3	DEPARTMENT TOTALS	2019-20	2020-21
4			
5	GENERAL FUND	\$0	\$7,483,619
6	FEDERAL EXPENDITURES FUND	\$0	\$15,594,565
7	OTHER SPECIAL REVENUE FUNDS	\$0	\$1,457,634
8			
9	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$24,535,818

10 **Emergency clause.** In view of the emergency cited in the preamble, this
11 legislation takes effect when approved.'

12 **SUMMARY**

13 This amendment replaces the bill and provides funding to:

- 14 1. Clear the waiting list for services under the MaineCare Benefits Manual, Chapters
15 II and III, Section 29 through the end of fiscal year 2020-21;
- 16 2. Increase the annual cap for a person receiving services under the MaineCare
17 Benefits Manual, Chapters II and III, Section 29 to \$70,000; and
- 18 3. Reduce waiting lists for services under the MaineCare Benefits Manual, Chapters
19 II and III, Section 21 by providing services to those individuals who are designated
20 Priority 2 and are receiving no other MaineCare home and community-based or support
21 services.

22 **FISCAL NOTE REQUIRED**

23 **(See attached)**



129th MAINE LEGISLATURE

LD 1984

LR 2623(02)

An Act To Eliminate Waiting Lists for Home and Community-based Services for Adults with Intellectual Disabilities, Autism, Brain Injury and Other Related Conditions

Fiscal Note for Bill as Amended by Committee Amendment " "

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	\$0	\$7,483,619	\$16,289,006	\$17,906,079
Appropriations/Allocations				
General Fund	\$0	\$7,483,619	\$16,289,006	\$17,906,079
Federal Expenditures Fund	\$0	\$15,594,565	\$34,062,890	\$37,455,783
Other Special Revenue Funds	\$0	\$1,457,634	\$3,194,832	\$3,514,032
Revenue				
Federal Expenditures Fund	\$0	\$15,594,565	\$34,062,890	\$37,455,784
Other Special Revenue Funds	\$0	\$1,457,634	\$3,194,832	\$3,514,032

Fiscal Detail and Notes

The bill includes General Fund appropriations to the Department of Health and Human Services of \$7,483,619 in fiscal year 2020-21 for an increase in the annual cap to \$70,000 and to eliminate the waitlist through June 30, 2021 for services provided under the MaineCare Benefits Manual, Section 29, and to provide services to individuals who are on the waitlist for services provided under the MaineCare Benefits Manual, Section 21 and designated Priority 2 and are receiving no other MaineCare home and community based or support services, and to create one Social Services Program Specialist II position and 2 DD Resources Coordinators positions. Federal Expenditures Fund allocations are also included for the FMAP match and Other Special Revenue Funds allocations are included for the Service Provider Tax.