

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 1157

H.P. 835

House of Representatives, March 22, 2021

An Act To Ensure MaineCare Reimbursement Rates for Home and Community-based Services for Persons with Intellectual Disabilities or Autism Are Adjusted in Accordance with Increases in State and Municipal Minimum Wage

Received by the Clerk of the House on March 18, 2021. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Handwritten signature of Robert B. Hunt in cursive.

ROBERT B. HUNT
Clerk

Presented by Representative LIBBY of Auburn.
Cosponsored by President JACKSON of Aroostook and
Representatives: CRAVEN of Lewiston, MADIGAN of Waterville, POIRIER of Skowhegan,
SYLVESTER of Portland, Senators: DESCHAMBAULT of York, MAXMIN of Lincoln.

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

2 **Sec. 1. 22 MRSA §3173**, as amended by PL 1997, c. 676, §1 and PL 2003, c. 689,
3 Pt. B, §6, is further amended by adding after the 15th paragraph 2 new paragraphs to read:

4 The department shall annually adjust its reimbursement rates for home and community-
5 based services provided to persons with intellectual disabilities or autism to account for
6 annual cost-of-living adjustments to the minimum wage established by Title 26, section
7 664, subsection 1. The department shall ensure that the increase in reimbursement is at
8 least equivalent to the increase in the minimum wage and that the increase goes into effect
9 at the same time the increase in the minimum wage goes into effect or is applied
10 retroactively to the date of the increase in the minimum wage.

11 The department shall adjust its reimbursement rates for home and community-based
12 services provided to persons with intellectual disabilities or autism to account for any
13 increase to the minimum wage or any other wage requirement enacted by a municipality
14 through an ordinance adopted pursuant to the ordinance power established in Title 30-A,
15 section 3001. The department shall ensure that the increase in reimbursement is at least
16 equivalent to the increase in the minimum wage or other wage requirement and that the
17 increase goes into effect at the same time the increase in the minimum wage or other wage
18 requirement goes into effect or is applied retroactively to the date of the increase in the
19 minimum wage or other wage requirement.

20 **Sec. 2. 34-B MRSA §5006** is enacted to read:

21 **§5006. State and municipal minimum wage increases**

22 The department shall ensure that reimbursement rates to providers of home and
23 community-based services to a person receiving services under this chapter must include
24 any increases to the minimum wage or other wage requirements as required by Title 22,
25 section 3173.

26 **SUMMARY**

27 This bill requires the Department of Health and Human Services to increase its
28 reimbursement rates to providers of home and community-based services to persons with
29 intellectual disabilities or autism by the same amount of increase required under the
30 minimum wage law pursuant to the Maine Revised Statutes, Title 26, section 664,
31 subsection 1 or by a municipal ordinance. If a municipal ordinance increases other wage
32 requirements in the ordinance, such as a requirement for time-and-a-half in certain
33 circumstances, that amount of increase is also required in the reimbursement rates.