

MAINE STATE LEGISLATURE

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Date 7/10/23

(Filing No. H- 719)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
FIRST SPECIAL SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H P 123,
L D 199, "An Act to Improve the Health of Maine Residents by Removing Exclusions to
the MaineCare Program"

Amend the amendment in the first instructional paragraph by striking out the following
"in section 1 in the blocked paragraph in the first line (page 1, line 4 in L D) by striking
out the following "January" and inserting the following 'July'" and inserting the following
'by striking out everything after the enacting clause and inserting the following

'Sec. 1. 22 MRSA §3174-FFF, sub-§1-A is enacted to read

1-A. Additional coverage provided for parents and caretaker relatives.
Notwithstanding any provision of law to the contrary, effective July 1, 2024, and subject
to adjustment by the commissioner pursuant to this subsection, the parent or caretaker
relative of a child who is under 18 years of age and eligible for coverage through the
MaineCare program or the children's health insurance program as defined in section
3174-X, subsection 1, paragraph A or under subsection 1 is eligible for the same scope of
medical assistance provided under section 3174-G for comparable enrollment groups to a
person who would be eligible for assistance under the federal Medicaid program under
Title XIX of the federal Social Security Act but for the person's immigration status. In
accordance with 8 United States Code, Section 1621, the State shall appropriate funds in
the state budget to provide state-funded medical assistance through the MaineCare program
for noncitizens who are parents or caretaker relatives under this subsection who reside in
the State and are ineligible for coverage due to federal restrictions relating to immigration
status in the federal Medicaid program.

MaineCare services provided under this subsection must be provided within the limits of
funds appropriated for those services, including an annual inflation adjustment equivalent
to the rate of inflation in the Medicaid program. On a quarterly basis, the commissioner
shall determine the fiscal status of program expenditures under this subsection. If the
commissioner determines that expenditures will exceed the funds available to provide
MaineCare coverage pursuant to this subsection, the commissioner shall adjust the income
eligibility limit for new applicants to the extent necessary to provide MaineCare services
under this subsection within funds appropriated. If, after an adjustment has occurred
pursuant to this subsection, expenditures fall below the funds appropriated, the

HOUSE AMENDMENT

1 commissioner shall raise the income eligibility limit to the extent necessary to provide
 2 services to as many eligible persons as possible within the funds appropriated

3 By July 1, 2024, the department shall adopt rules to implement this subsection. Rules
 4 adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter
 5 375, subchapter 2-A.

6 **Sec. 2. 22 MRSA §3174-FFF, sub-§1-B** is enacted to read

7 **1-B. Maximization of federal funds.** The department shall maximize the receipt of
 8 available federal matching funds for coverage provided under subsections 1 and 1-A.

9 **Sec. 3. Federal Medicaid waivers or state plan amendments; funding.** The
 10 Department of Health and Human Services shall establish coverage under the Maine
 11 Revised Statutes, Title 22, section 3174-FFF, subsection 1-A as of July 1, 2024 using state
 12 funds. The department may seek to acquire matching federal funds under the Medicaid
 13 program by submitting to the United States Department of Health and Human Services,
 14 Centers for Medicare and Medicaid Services any waivers or state plan amendments
 15 determined necessary. Implementation of coverage required by Title 22, section 3174-FFF,
 16 subsection 1-A is not contingent on federal approval of any waivers or amendments to the
 17 state Medicaid plan or federal funding for this purpose.

18 **Sec. 4. Appropriations and allocations.** The following appropriations and
 19 allocations are made

20 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

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

22 Initiative: Provides funding for MaineCare program coverage for noncitizen residents of
 23 this State who are parents or caretaker relatives of a child under 18 years of age with
 24 qualifying low incomes who are ineligible for coverage under the federal Medicaid
 25 program due to their immigration status, beginning July 1, 2024

26	GENERAL FUND	2023-24	2024-25
27	All Other	\$0	\$6,165,595
28			
29	GENERAL FUND TOTAL	\$0	\$6,165,595

30 **Office of MaineCare Services 0129**

31 Initiative: Provides one-time funding for required technology changes

32	GENERAL FUND	2023-24	2024-25
33	All Other	\$75,001	\$0
34			
35	GENERAL FUND TOTAL	\$75,001	\$0

36
 37 **HEALTH AND HUMAN SERVICES,**
 38 **DEPARTMENT OF**
 39 **DEPARTMENT TOTALS**

40		2023-24	2024-25
41	GENERAL FUND	\$75,001	\$6,165,595
42			

1 DEPARTMENT TOTAL - ALL FUNDS \$75,001 \$6,165,595

2 "

3 Amend the amendment by striking out all of the 2nd, 3rd and 4th instructional
4 paragraphs

5 Amend the amendment by striking out all of section 5

6 Amend the amendment by relettering or renumbering any nonconsecutive Part letter or
7 section number to read consecutively

8 SUMMARY

9 This amendment provides MaineCare program coverage for noncitizen residents of the
10 State who are parents or caretaker relatives with qualifying low incomes who are ineligible
11 for coverage under the federal Medicaid program due to their immigration status. The
12 individual must be a parent or caretaker relative for a child under 18 years of age who is
13 eligible for coverage through the MaineCare program or the children's health insurance
14 program or under the Maine Revised Statutes, Title 22, section 3174-FFF, subsection 1. It
15 requires the coverage to be provided within funds appropriated for that coverage and
16 requires the Commissioner of Health and Human Services to adjust eligibility limits as
17 necessary to ensure that the program operates within budget limits. Similar to the bill, the
18 amendment requires the Department of Health and Human Services to maximize the receipt
19 of federal matching funds and authorizes the commissioner to seek to acquire matching
20 federal funds.

21 SPONSORED BY: Rachel Talbot Ross

22 (Speaker TALBOT ROSS, R.)

23 TOWN: Portland

FISCAL NOTE REQUIRED
(See attached)



131st MAINE LEGISLATURE

LD 199

LR 509(05)

An Act to Improve the Health of Maine Residents by Removing Exclusions to the MaineCare Program

Fiscal Note for House Amendment "A" to Committee Amendment "A" (H-719)

Sponsor: Spkr. Talbot Ross of Portland

Fiscal Note Required: Yes

Fiscal Note

	FY 2023-24	FY 2024-25	Projections FY 2025-26	Projections FY 2026-27
Net Cost (Savings)				
General Fund	\$0	(\$7,514,403)	(\$4,865,497)	(\$4,865,497)
Appropriations/Allocations				
General Fund	\$0	(\$7,514,403)	(\$4,865,497)	(\$4,865,497)

Fiscal Detail and Notes

This amendment changes the General Fund appropriations to the Department of Health and Human Services from \$13,679,998 in fiscal year 2024-25 to \$6,165,595 in fiscal year 2024-25 to change the requirement for MaineCare program coverage for noncitizen residents of the State from all noncitizen residents over 21 with qualifying low incomes who are ineligible for coverage under the federal Medicaid program due to their immigration status to only those who are a parent or caretaker relative of a child under 18, beginning July 1, 2024