

MAINE STATE LEGISLATURE

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2 Date 5/12/23

(Filing No S-94)

3 HEALTH AND HUMAN SERVICES

4 Reproduced and distributed under the direction of the Secretary of the Senate

5 STATE OF MAINE

6 SENATE

7 131ST LEGISLATURE

8 FIRST SPECIAL SESSION

9 COMMITTEE AMENDMENT " B " to S P 200, L D 445, "Resolve, Directing the
10 Department of Health and Human Services to Apply for a Waiver from the Federal
11 Government for the Medicaid Limitation on Payment to a Facility with More Than 16
12 Inpatient Beds for Psychiatric Treatment"

13 Amend the resolve by striking out everything after the title and inserting the following

14 **'Sec. 1. Application for waiver from the institutions for mental disease**
15 **exclusion. Resolved:** That within 9 months of the effective date of this resolve, the
16 Department of Health and Human Services shall apply to the United States Department of
17 Health and Human Services, Centers for Medicare and Medicaid Services for a waiver of
18 the prohibition, as described in 42 Code of Federal Regulations, Section 435 1009, against
19 the provision of Medicaid covered services to individuals who are inpatients in a hospital,
20 nursing facility or other institution with more than 16 beds that is primarily engaged in
21 providing diagnosis, treatment or care to persons with mental disease

22 **Sec. 2. Report by department. Resolved:** That the Department of Health and
23 Human Services shall inform the joint standing committee of the Legislature having
24 jurisdiction over health and human services matters when it submits to the United States
25 Department of Health and Human Services, Centers for Medicare and Medicaid Services
26 the waiver application required by section 1 The department also shall, by January 1, 2025,
27 report on the status of the waiver request and its implementation of any services provided
28 pursuant to authorities granted by the Centers for Medicare and Medicaid Services to the
29 joint standing committee of the Legislature having jurisdiction over health and human
30 services matters

31 **Sec. 3. Appropriations and allocations. Resolved:** That the following
32 appropriations and allocations are made

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

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

COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT " A" to S P 200, L D 445 (S-94)

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Initiative Provides funding for the Department of Health and Human Services to provide payments to facilities with more than 16 inpatient beds for psychiatric treatment

GENERAL FUND	2023-24	2024-25
All Other	\$329,949	\$1,319,795
GENERAL FUND TOTAL	<u>\$329,949</u>	<u>\$1,319,795</u>

FEDERAL EXPENDITURES FUND	2023-24	2024-25
All Other	\$909,119	\$3,636,475
FEDERAL EXPENDITURES FUND TOTAL	<u>\$909,119</u>	<u>\$3,636,475</u>

Office of MaineCare Services 0129

Initiative Provides one-time funding for required technology changes

GENERAL FUND	2023-24	2024-25
All Other	\$10,330	\$0
GENERAL FUND TOTAL	<u>\$10,330</u>	<u>\$0</u>

FEDERAL EXPENDITURES FUND	2023-24	2024-25
All Other	\$30,990	\$0
FEDERAL EXPENDITURES FUND TOTAL	<u>\$30,990</u>	<u>\$0</u>

HEALTH AND HUMAN SERVICES, DEPARTMENT OF DEPARTMENT TOTALS	2023-24	2024-25
GENERAL FUND	\$340,279	\$1,319,795
FEDERAL EXPENDITURES FUND	\$940,109	\$3,636,475
DEPARTMENT TOTAL - ALL FUNDS	<u>\$1,280,388</u>	<u>\$4,956,270</u>

Amend the resolve by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively

SUMMARY

This amendment replaces the resolve and changes the date by which the Department of Health and Human Services is required to submit its waiver request to the Federal Government from 90 days after the effective date of the resolve to 9 months after the effective date of the resolve. It requires the Department of Health and Human Services to inform the joint standing committee of the Legislature having jurisdiction over health and human services matters of its submission to the United States Department of Health and

COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT "A" to S P 200, L D 445 (5-94)

1 Human Services, Centers for Medicare and Medicaid Services of the waiver application It
2 requires the department to report, by January 1, 2025, on the status of the waiver request
3 and its implementation of any services provided pursuant to authorities granted by the
4 Centers for Medicare and Medicaid Services to the joint standing committee of the
5 Legislature having jurisdiction over health and human services matters

6 **FISCAL NOTE REQUIRED**

7 (See attached)



131st MAINE LEGISLATURE

LD 445

LR 1402(02)

Resolve, Directing the Department of Health and Human Services to Apply for a Waiver from the Federal Government for the Medicaid Limitation on Payment to a Facility with More Than 16 Inpatient Beds for Psychiatric Treatment

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-94)

Committee: Health and Human Services

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	\$340,279	\$1,319,795	\$1,319,795	\$1,319,795
Appropriations/Allocations				
General Fund	\$340,279	\$1,319,795	\$1,319,795	\$1,319,795
Federal Expenditures Fund	\$940,109	\$3,636,475	\$3,636,475	\$3,636,475
Revenue				
Federal Expenditures Fund	\$940,109	\$3,636,475	\$3,636,475	\$3,636,475

Fiscal Detail and Notes

The bill includes General Fund appropriations to the Department of Health and Human Services of \$340,279 in fiscal year 2023-24 and \$1,319,795 in fiscal year 2024-25 to provide payments to facilities with more than 16 inpatient beds for psychiatric treatment and for required technology changes. Federal Expenditures Fund allocations are also included for the FMAP match.