

MAINE STATE LEGISLATURE

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Date 6/13/23

L D 473
(Filing No H-501)

HEALTH AND HUMAN SERVICES

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

COMMITTEE AMENDMENT "A" to H P 290, L D 473, "Resolve, to Expand the Eligibility for and Increase the Number of Hours of Applied Behavior Analysis Services Authorized by the MaineCare Program"

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

Sec. 1. Department of Health and Human Services to reimburse for additional behavioral and psychological consultation for adults with intellectual disabilities or autism spectrum disorder. Resolved: That the Department of Health and Human Services shall amend its rules in Chapter 101 MaineCare Benefits Manual, Chapter III, Section 21, Allowances for Home and Community Benefits for Adults with Intellectual Disabilities or Autism Spectrum Disorder to increase to 120 the number of hours of consultation services for behavioral and psychological consultation that adults receiving services who have approved behavior plans may receive

Sec. 2. Department of Health and Human Services to reimburse for behavioral and psychological consultation for adults with intellectual disabilities or autism spectrum disorder. Resolved: That the Department of Health and Human Services shall amend its rules in Chapter 101 MaineCare Benefits Manual, Chapter III, Section 29, Allowances for Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder to allow for up to 120 hours of consultation services for behavioral and psychological consultation for adults receiving services who have approved behavior plans

Sec. 3. Waiver amendments. Resolved: That the Department of Health and Human Services shall seek any necessary waiver amendments from the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to implement the requirements of this resolve The department shall submit any requests for approval no later than 12 months after the effective date of this resolve

Sec. 4. Appropriations and allocations. Resolved: That the following appropriations and allocations are made

COMMITTEE AMENDMENT

ROS

1 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**
2 **Developmental Services Waiver - MaineCare Z211**

3 Initiative Provides funding for the Department of Health and Human Services to amend
4 its rules in Chapter 101 MaineCare Benefits Manual, Chapter III, Section 21, Allowances
5 for Home and Community Benefits for Adults with Intellectual Disabilities or Autism
6 Spectrum Disorder to increase to 120 the number of hours of consultation services for
7 behavioral and psychological consultation and to amend its rules in Chapter 101
8 MaineCare Benefits Manual, Chapter III, Section 29, Allowances for Support Services for
9 Adults with Intellectual Disabilities or Autism Spectrum Disorder, to allow for up to 120
10 hours of consultation services for behavioral and psychological consultation for adults who
11 have approved behavior plans

12	GENERAL FUND	2023-24	2024-25
13	All Other	\$0	\$206,873
14			
15	GENERAL FUND TOTAL	\$0	\$206,873

16 **Developmental Services Waiver - Supports Z212**

17 Initiative Provides funding for the Department of Health and Human Services to amend
18 its rules in Chapter 101 MaineCare Benefits Manual, Chapter III, Section 21, Allowances
19 for Home and Community Benefits for Adults with Intellectual Disabilities or Autism
20 Spectrum Disorder to increase to 120 the number of hours of consultation services for
21 behavioral and psychological consultation and to amend its rules in Chapter 101
22 MaineCare Benefits Manual, Chapter III, Section 29, Allowances for Support Services for
23 Adults with Intellectual Disabilities or Autism Spectrum Disorder, to allow for up to 120
24 hours of consultation services for behavioral and psychological consultation for adults who
25 have approved behavior plans

26	GENERAL FUND	2023-24	2024-25
27	All Other	\$0	\$164,669
28			
29	GENERAL FUND TOTAL	\$0	\$164,669

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

31 Initiative Provides funding for the Department of Health and Human Services to amend
32 its rules in Chapter 101 MaineCare Benefits Manual, Chapter III, Section 21, Allowances
33 for Home and Community Benefits for Adults with Intellectual Disabilities or Autism
34 Spectrum Disorder to increase to 120 the number of hours of consultation services for
35 behavioral and psychological consultation and to amend its rules in Chapter 101
36 MaineCare Benefits Manual, Chapter III, Section 29, Allowances for Support Services for
37 Adults with Intellectual Disabilities or Autism Spectrum Disorder, to allow for up to 120
38 hours of consultation services for behavioral and psychological consultation for adults who
39 have approved behavior plans

40	FEDERAL EXPENDITURES FUND	2023-24	2024-25
41	All Other	\$0	\$741,073
42			
43	FEDERAL EXPENDITURES FUND TOTAL	\$0	\$741,073

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OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
All Other	\$0	\$71,018
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$71,018
HEALTH AND HUMAN SERVICES, DEPARTMENT OF DEPARTMENT TOTALS	2023-24	2024-25
GENERAL FUND	\$0	\$371,542
FEDERAL EXPENDITURES FUND	\$0	\$741,073
OTHER SPECIAL REVENUE FUNDS	\$0	\$71,018
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$1,183,633

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

SUMMARY

This amendment replaces the resolve. The amendment requires the Department of Health and Human Services to amend its rules in Chapter 101 MaineCare Benefits Manual, Chapter III, Section 21, Allowances for Home and Community Benefits for Adults with Intellectual Disabilities or Autism Spectrum Disorder to increase to 120 the number of hours of consultation services for behavioral and psychological consultation for adults receiving services who have approved behavior plans. It requires the department to amend its rules in Chapter 101 MaineCare Benefits Manual, Chapter III, Section 29, Allowances for Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder to reimburse for up to 120 hours of consultation services for behavioral and psychological consultation for adults receiving services who have approved behavior plans. It requires the department to seek any necessary waiver amendments from the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services within 12 months of the effective date of the resolve. The amendment incorporates an appropriations and allocations section.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



131st MAINE LEGISLATURE

LD 473

LR 861(02)

Resolve, to Expand the Eligibility for and Increase the Number of Hours of Applied Behavior Analysis Services Authorized by the MaineCare Program

**Fiscal Note for Bill as Amended by Committee Amendment
Committee: Health and Human Services**

A(H-501)

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	\$371,542	\$950,124	\$1,019,916
Appropriations/Allocations				
General Fund	\$0	\$371,542	\$950,124	\$1,019,916
Federal Expenditures Fund	\$0	\$741,073	\$1,893,293	\$2,032,362
Other Special Revenue Funds	\$0	\$71,018	\$181,495	\$194,826
Revenue				
Federal Expenditures Fund	\$0	\$741,073	\$1,893,293	\$2,032,362
Other Special Revenue Funds	\$0	\$71,018	\$181,495	\$194,826

Fiscal Detail and Notes

The bill includes ongoing General Fund appropriations to the Department of Health and Human Services of \$371,542 in fiscal year 2024-25 for the department to amend its rules in Chapter 101 MaineCare Benefits Manual, Chapter III, Section 21, Allowances for Home and Community Benefits for Adults with Intellectual Disabilities or Autism Spectrum Disorder to increase the number of hours of behavioral and psychological consultation services to 120 hours and to amend its rules in Chapter 101. MaineCare Benefits Manual, Chapter III, Section 29, Allowances for Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder, to allow for up to 120 hours of behavioral and psychological consultation services for individuals who have approved behavior plans. Federal Expenditures Fund allocations are also included for the FMAP match and Other Special Revenue Funds allocations for the Service Provider Tax.