

MAINE STATE LEGISLATURE

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Date

6/15/23

L D 659

(Filing No H-558)

HEALTH AND HUMAN SERVICES

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STATE OF MAINE

HOUSE OF REPRESENTATIVES

131ST LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to HP 428, L D 659, "An Act to Promote Seamless and Flexible Home and Community Supports Across the Lifespan for Individuals with Intellectual and Developmental Disabilities or Autism "

Amend the bill by inserting before section 1 the following

'Sec. 1. 34-B MRSA §5003-B is enacted to read

§5003-B. Services across the lifespan

The department shall facilitate the development of a home and community-based waiver from the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services that provides services for persons with intellectual and developmental disabilities, autism or other related conditions across the lifespan, including smooth transitions from childhood to adulthood Upon federal approval, the department shall adopt rules to implement this section Rules adopted pursuant to this section are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A, except that any subsequent amendments to those rules are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A '

Amend the bill by striking out all of section 1 and inserting the following

'Sec. 1. **Home and community-based lifespan program.** The Department of Health and Human Services shall establish a MaineCare home and community-based lifespan program for individuals with intellectual and developmental disabilities, autism or other related conditions pursuant to the Maine Revised Statutes, Title 34-B, section 5003-B, referred to in this Act as "the lifespan program " On or after April 1, 2025, the department may begin enrollment in the lifespan program The department may seek waivers or other approvals from the federal Department of Health and Human Services, Centers for Medicare and Medicaid Services to implement the lifespan program The goals of the lifespan program are to

1. Flexibility across the lifespan. Provide home and community-based supports that can change over the member's lifespan as a member as described in this section and the

COMMITTEE AMENDMENT



persons who provide support to that member get older, without needing to move from one waiver program to another,

2. Seamless transitions. Expand upon the department's current childhood-to-adulthood transition initiatives by including children beginning at 14 years of age and enable smooth transitions at later life stages,

3. Early planning for independence. Emphasize in-home supports, independent living skills and employment services for youth to prepare them for as much independence as possible in adulthood,

4. Innovation. Include service innovations currently under development, such as tiered shared living, standardized assessment of need, enhanced medical and behavioral health supports, self-direction, innovative employment supports, independent living options and remote support technology, including models of support that can be successfully implemented with a smaller workforce, and

5. Simplified and effective payment methods. Include alternative payment methods to promote quality and efficiency and reduce the administrative burden for service providers and the department '

Amend the bill by inserting after section 4 the following

'Sec. 5. Appropriations and allocations. The following appropriations and allocations are made

HEALTH AND HUMAN SERVICES, DEPARTMENT OF

Lifespan Waiver Z370

Initiative Provides funding for a new MaineCare lifespan waiver, which will offer the services currently offered under the department's rule Chapter 101 MaineCare Benefits Manual, Chapters II and III, Sections 21 and 29 and also incorporate innovations such as self-directed services, employment options and transition services, beginning April 1, 2025

GENERAL FUND	2023-24	2024-25
All Other	\$0	\$770,908
GENERAL FUND TOTAL	\$0	\$770,908

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

SUMMARY

This amendment requires the Department of Health and Human Services to make major substantive rules to implement the lifespan waiver that is required in the bill. Subsequent amendments to those rules are routine technical rules. The amendment also changes the date that the department begins enrollment into the new waiver from on or before January



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1, 2025 to April 1, 2025 to reflect the additional time that major substantive rulemaking requires The amendment also adds an appropriations and allocations section

FISCAL NOTE REQUIRED

(See attached)

**131st MAINE LEGISLATURE****LD 659****LR 151(02)****An Act to Promote Seamless and Flexible Home and Community Supports Across the Lifespan for
Individuals with Intellectual and Developmental Disabilities or Autism****Fiscal Note for Bill as Amended by Committee Amendment****Committee: Health and Human Services****Fiscal Note Required: Yes***A" (H-558)*

Fiscal Note

	FY 2023-24	FY 2024-25	Projections FY 2025-26	Projections FY 2026-27
Net Cost (Savings)				
General Fund	\$0	\$770,908	\$3,083,630	\$3,083,630
Appropriations/Allocations				
General Fund	\$0	\$770,908	\$3,083,630	\$3,083,630

Fiscal Detail and Notes

The bill includes an annual General Fund appropriation to the Department of Health and Human Services of \$770,908 beginning in fiscal year 2024-25 for a new MaineCare lifespan waiver, which will offer the services currently offered under the department's rule Chapter 101 MaineCare Benefits Manual, Chapters II and III, Sections 21 and 29 and also incorporate innovations such as self-directed services, employment options and transition services, beginning April 1, 2025

There is funding in the currently proposed biennial budget for this new waiver program. If that initiative is part of the final budget passed by the legislature, this appropriation can be removed and the language can move forward.