

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 744

S.P. 302

In Senate, February 16, 2023

Resolve, to Direct the Department of Health and Human Services to Perform Rate Studies and Rate Determinations for Providers of Certain Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator BALDACCI of Penobscot.
Cosponsored by Senator: BENNETT of Oxford.

1 **Sec. 1. Rate studies and rate determinations required for services for adults**
2 **with intellectual disabilities or autism spectrum disorder. Resolved:** That,
3 beginning no later than March 15, 2024, the Department of Health and Human Services
4 shall conduct rate studies and rate determinations, as defined in the Maine Revised Statutes,
5 Title 22, section 3173-J, subsection 1, paragraphs D and C, respectively, for rule Chapter
6 101: MaineCare Benefits Manual, Chapter II, Sections 21 and 29 and Chapter III, Sections
7 21 and 29. The department shall complete the rate studies and rate determinations no later
8 than December 31, 2024.

9 **Sec. 2. Working group established. Resolved:** That the Department of Health
10 and Human Services, Office of Aging and Disability Services shall convene a working
11 group to advise the department on the development of a daily rate payment system for
12 Agency Home Support Service Providers described in rule Chapter 101: MaineCare
13 Benefits Manual, Chapter II, Section 21 and Chapter III, Section 21. The working group
14 consists of officials from the Office of Aging and Disability Services and the department's
15 Office of MaineCare Services and at least 3 providers of agency home support services,
16 including one provider that supports individuals with extensive behavioral and medical
17 needs. The Office of Aging and Disability Services shall appoint a chair. The chair of the
18 working group shall provide written notice of meetings and copies of any minutes of
19 meetings of the working group to the Commissioner of Health and Human Services or the
20 commissioner's designee and to members of the Joint Standing Committee on Health and
21 Human Services and the Office of Policy and Legal Analysis. No later than October 1,
22 2024, the working group shall submit a report that includes its findings and
23 recommendations to the Commissioner of Health and Human Services or the
24 commissioner's designee. The department shall incorporate the daily rate payment system
25 into the rate determinations required by section 1.

26 **Sec. 3. Rate and payment system implementation. Resolved:** That, no later
27 than January 31, 2025, the Department of Health and Human Services shall implement the
28 rates required to be determined under section 1 and the rate payment system developed
29 under section 2.

30 SUMMARY

31 This resolve directs the Department of Health and Human Services to conduct rate
32 studies and rate determinations for home and community benefits and support services for
33 members of the MaineCare program with intellectual disabilities or autism spectrum
34 disorder. The Office of Aging and Disability Services within the department is directed to
35 convene a working group to advise the department on the development of a daily rate
36 payment system for agency home support service providers to be incorporated into the rate
37 determinations. The department is required to implement the rates determined no later than
38 January 31, 2025.