

# MAINE STATE LEGISLATURE

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L.D. 2217

Date: 3/19/24

(Filing No. S585)

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STATE OF MAINE  
SENATE  
131ST LEGISLATURE  
SECOND REGULAR SESSION

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 948,  
L.D. 2217, "An Act to Strengthen the Maine Veterans' Homes with Increased and Ongoing  
Funding"

Amend the amendment by striking out everything after the title and inserting the  
following:

'Amend the bill by striking out the title and substituting the following:

**'Resolve, to Require the Department of Health and Human Services to Amend Its  
MaineCare Reimbursement Rules to Provide Reimbursement to Veterans' Facilities  
on a Per Resident Basis'**

Amend the bill by striking out everything after the title and inserting the following:

**'Sec. 1. Department of Health and Human Services to amend MaineCare  
rules regarding veterans' facilities. Resolved:** That the Department of Health and  
Human Services shall amend its rules in Chapter 101: MaineCare Benefits Manual, Chapter  
III, Section 67, Principles of Reimbursement for Nursing Facilities, and Section 97,  
Appendix C, Principles of Reimbursement for Medical and Remedial Service Facilities, as  
follows.

**1. Per resident basis.** The rules must provide that veterans' facilities are reimbursed  
on a per resident daily rate basis for services to residents covered under the United States  
Social Security Act, Title XIX at all Maine Veterans' Homes facilities at the locations  
required by the Maine Revised Statutes, Title 37-B, section 601, subsection 2. The rate  
calculation must result in reimbursement of the portion of the total allowable cost of  
operating each veterans' facility attributable to the provision of services to residents who  
receive MaineCare benefits.

**2. Inflation adjustment.** The rules must contain an annual inflation adjustment  
provision.

**3. Calculation of per resident daily rate; limitation.** Comparison data with other  
states' veterans' home programs and appropriate price indices may be used in deriving the  
per resident daily rate, as long as the application of comparison data and price indices does  
not reduce reimbursement below the MaineCare portion of total allowable costs as  
described in subsections 1 and 2.

**SENATE AMENDMENT**

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1           **4. Use of 3rd party.** The department may use a 3rd party to derive or review the per  
2 resident daily rate.

3           As used in this section, "veterans' facility" means a nursing facility, medical and  
4 remedial facility or multilevel health care facility operated by the Maine Veterans' Homes  
5 and "multilevel health care facility" has the same meaning as in the Maine Revised Statutes,  
6 Title 22, section 7852, subsection 10-A.

7           **Sec. 2. Appropriations and allocations.** The following appropriations and  
8 allocations are made.

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

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

11          Initiative: Provides funding to ensure that Maine Veterans' Homes nursing facilities are  
12 reimbursed a per resident daily rate for services that include the total allowable cost of  
13 operating a veterans' home and it must also include an annual inflation adjustment  
14 provision.

15	<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
16	All Other	\$0	\$922,940
17			
18	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$922,940</u>

20	<b>FEDERAL EXPENDITURES FUND</b>	<b>2023-24</b>	<b>2024-25</b>
21	All Other	\$0	\$1,840,881
22			
23	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$0</u>	<u>\$1,840,881</u>

25	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2023-24</b>	<b>2024-25</b>
26	All Other	\$0	\$264,886
27			
28	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>\$264,886</u>

29          **Nursing Facilities 0148**

30          Initiative: Provides funding to ensure that Maine Veterans' Homes nursing facilities are  
31 reimbursed a per resident daily rate for services that include the total allowable cost of  
32 operating a veterans' home and it must also include an annual inflation adjustment  
33 provision.

34	<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
35	All Other	\$0	\$2,792,478
36			
37	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$2,792,478</u>

39	<b>FEDERAL EXPENDITURES FUND</b>	<b>2023-24</b>	<b>2024-25</b>
40	All Other	\$0	\$5,569,834
41			
42	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$0</u>	<u>\$5,569,834</u>

# SENATE AMENDMENT

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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2023-24</b>	<b>2024-25</b>
All Other	\$0	\$533,765
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<hr/>	<hr/>
	\$0	\$533,765
<b>PNMI Room and Board Z009</b>		
Initiative: Provides funding to ensure that Maine Veterans' Homes nursing facilities are reimbursed a per resident daily rate for services that include the total allowable cost of operating a veterans' home and it must also include an annual inflation adjustment provision.		
<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
All Other	\$0	\$1,386,060
<b>GENERAL FUND TOTAL</b>	<hr/>	<hr/>
	\$0	\$1,386,060
<b>HEALTH AND HUMAN SERVICES, DEPARTMENT OF</b>		
<b>DEPARTMENT TOTALS</b>	<b>2023-24</b>	<b>2024-25</b>
<b>GENERAL FUND</b>	\$0	\$5,101,478
<b>FEDERAL EXPENDITURES FUND</b>	\$0	\$7,410,715
<b>OTHER SPECIAL REVENUE FUNDS</b>	\$0	\$798,651
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<hr/>	<hr/>
	\$0	\$13,310,844

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

**SUMMARY**

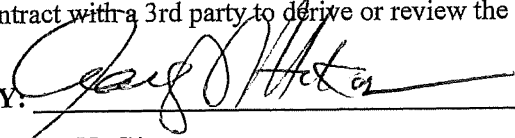
This amendment replaces the bill and Committee Amendment "A" with a resolve requiring the Department of Health and Human Services to amend its MaineCare rules regarding reimbursement rates for nursing homes and medical and remedial facilities to require that reimbursement be provided to veterans' facilities on a per resident daily rate basis for services to residents covered under the United States Social Security Act, Title XIX at all Maine Veterans' Homes facilities. The per resident daily rate calculation must result in reimbursement of the portion of the total allowable cost of operating each veterans' facility attributable to the provision of services to residents who receive MaineCare benefits. The rules must contain a requirement that the rates are indexed to inflation. The

**SENATE AMENDMENT**

ROS

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 948, L.D. 2217 (S-585)

1 amendment allows the department to use comparison data to determine the per resident  
2 daily rate or to contract with a 3rd party to derive or review the per resident daily rate.

3 SPONSORED BY: 

4 (Senator HICKMAN, C.)

5 COUNTY: Kennebec

**FISCAL NOTE REQUIRED**  
**(See attached)**

**SENATE AMENDMENT**



# 131st MAINE LEGISLATURE

LD 2217

LR 2613(04)

## An Act to Strengthen the Maine Veterans' Homes with Increased and Ongoing Funding

Fiscal Note for Senate Amendment "A" to Committee Amendment "A" (S-585)

Sponsor: Sen. Hickman of Kennebec

Fiscal Note Required: Yes

### Fiscal Note

	FY 2023-24	FY 2024-25	Projections FY 2025-26	Projections FY 2026-27
<b>Net Cost (Savings)</b>				
General Fund	\$0	\$1,891,238	\$1,972,738	\$1,893,843
<b>Appropriations/Allocations</b>				
General Fund	\$0	\$5,101,478	\$5,260,024	\$5,260,024
Federal Expenditures Fund	\$0	\$7,410,715	\$7,635,043	\$7,635,043
Other Special Revenue Funds	\$0	(\$2,411,589)	(\$2,464,197)	(\$2,543,092)
<b>Revenue</b>				
Federal Expenditures Fund	\$0	\$7,410,715	\$7,635,043	\$7,635,043
Other Special Revenue Funds	\$0	\$798,651	\$823,089	\$823,089
<b>Transfers</b>				
General Fund	\$0	\$3,210,240	\$3,287,286	\$3,366,181
Other Special Revenue Funds	\$0	(\$3,210,240)	(\$3,287,286)	(\$3,366,181)

### Fiscal Detail and Notes

This amendment strikes the allocation for payment to the Maine Veterans' Homes to support ongoing operations and strikes the transfer from the General Fund to the Department of Health and Human Services, Nursing Facilities-MVH Other Special Revenue Funds account to fund the allocation.

The amendment includes General Fund appropriations to the Department of Health and Human Services of \$5,101,478 in fiscal year 2024-25 to ensure that Maine Veterans' Homes nursing facilities are reimbursed a per resident daily rate for services that include the total allowable cost of operating a veterans' home and it must also include an annual inflation adjustment provision. Federal Expenditures Fund allocations are included for the FMAP match and Other Special Revenue Funds allocations for the Service Provider and Nursing Facilities Tax.