

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE

FIRST SPECIAL SESSION

October 9, 1987 to October 10, 1987

SECOND SPECIAL SESSION

October 21, 1987 to November 20, 1987

and the

SECOND REGULAR SESSION

January 6, 1988 to May 5, 1988

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Twin City Printery
Lewiston, Maine
1988

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST AND SECOND SPECIAL SESSIONS
and
SECOND REGULAR SESSION
of the
ONE HUNDRED AND THIRTEENTH LEGISLATURE
1987

provided in this Act as of April 1, 1988. All other sections of this Act shall take effect on July 1, 1988.

Effective August 4, 1988.

CHAPTER 847

H.P. 1643 — L.D. 2242

AN ACT to Make Health Care More Accessible to Low-Income Elderly and Disabled Individuals, Children and Pregnant Women.

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 22 MRSA §396-D, sub-§9, ¶H is enacted to read:

H. In determining payment year financial requirements, the commission shall include an adjustment for the hospital's assessment under Title 36, section 2800.

Sec. 2. 22 MRSA §396-F, sub-§4 is enacted to read:

4. Adjustment, revenue deduction. Subsequent to the close of each payment year, in conjunction with the determinations made under section 396-I, subsection 3, the commission shall adjust the revenue deductions for charity care and bad debts for that payment year to the extent necessary to reflect the reduction in charity care and bad debt amounts resulting from the receipt by the hospital of payments for care of patients pursuant to section 3174-E.

Sec. 3. 22 MRSA §396-Q is enacted to read:

§396-Q. Quarterly report

By September 15, 1988, and quarterly thereafter, the commission shall report to the Bureau of Taxation the amount of financial requirements for the most recently completed quarter of each hospital's payment year, determined by dividing the financial requirements for the applicable payment year by 4.

Sec. 4. 22 MRSA §3174-E is enacted to read:

§3174-E. Medicaid coverage of certain elderly and disabled individuals, children and pregnant women

1. Delivery of services. The department shall provide for the delivery of federally approved Medicaid services to qualified pregnant women up to 60 days following delivery and infants up to one year of age when the woman's or child's family income is below 185% of the nonfarm income official poverty line and children under 5 years of age and qualified elderly and disabled persons, when the child's or person's family income is below 100%

of the nonfarm income official poverty line. The official poverty line shall be that applicable to a family of the size involved, as defined by the Federal Office of Management and Budget and revised annually in accordance with the United States Omnibus Budget Reconciliation Act of 1981, Section 673, Subsection 2. These services shall be effective October 1, 1988.

2. Resource test. The department may not apply a resource test to those children and pregnant women who are made eligible under this section, unless these persons also receive Aid to Families with Dependent Children or United States Supplemental Security Income benefits.

3. Benefits authorized. The scope of medical assistance to be provided within this section shall be that authorized by the Federal Sixth Omnibus Budget Reconciliation Act, Public Law 99-509.

Sec. 5. 36 MRSA c. 369 is enacted to read:

CHAPTER 369

HOSPITALS

§2801. Hospital excise tax

Hospitals shall be subject to an excise tax for the fiscal year. The rate of tax shall be .002 of the hospital's financial requirements as determined in Title 22, chapter 107, subchapter III. The State Tax Assessor on or before September 30, 1988; December 30, 1988; March 30, 1989; and June 30, 1989, shall determine the amount of such tax on each hospital and shall give notice of the amount to the hospital upon which the tax is levied. The amount of tax on each quarterly notice shall be .002 of the hospital's financial requirements of the most recently completed quarter of the hospital's payment year.

Sec. 6. **Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1987-88

1988-89

HUMAN SERVICES, DEPARTMENT OF

Medical Care — Payment to Providers

All Other \$2,317,001

Provides funds for Medicaid coverage of certain elderly and disabled persons, children and pregnant women effective October 1, 1988.

Medical Care — Payment to Providers

All Other \$(325,000)

Deappropriates funds for prenatal care.

CHAPTER 847

Bureau of Health

All Other \$(150,000)

Deappropriates funds for prenatal care.

Aid to Families with Dependent Children

All Other \$(145,000)

Deappropriates funds.

Free Drugs to Maine's Elderly

All Other (\$393,408)

Deappropriates surplus funds not needed for current program.

Regional Income Maintenance

Positions	(15)
Personal Services	\$228,282
All Other	56,425
Capital Expenditures	11,700

Total \$296,407

Provides funds for 11 Income Maintenance Specialists, 2 Income Maintenance Supervisors and 2 Clerk Typists II positions, effective October 1, 1988.

TOTAL (\$393,408) \$1,993,408

Sec. 7. Allocation. The following funds are allocated from federal funds to carry out the purposes of this Act.

HUMAN SERVICES, DEPARTMENT OF

1988-89

Medical Care — Payment to Providers

All Other \$4,657,713

Allocates federal Medicaid matching funds effective October 1, 1988.

Aid to Families with Dependent Children

All Other \$(291,484)

Deallocates federal matching funds.

Regional Income Maintenance

Positions	(15)
Personal Services	\$221,346
All Other	56,425
Capital Expenditures	11,700

Total \$289,471

Allocates federal matching funds for 12 Income Maintenance Specialists,

PUBLIC LAWS, SECOND REGULAR SESSION — 1987

one Income Maintenance Supervisor and 2 Clerk Typist II positions effective October 1, 1988.

TOTAL

\$4,655,700

Effective August 4, 1988.

CHAPTER 848

H.P. 272 — L.D. 355

AN ACT to Increase the State Funding of Educational Costs.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, inflationary increases and costs associated with educational reform initiatives have increased the demand on local resources for public educational funding; and

Whereas, the Legislature has made past efforts to address the increase in local educational costs but realizes a continuing obligation for funding public educational costs; and

Whereas, the School Funding Task Force has proposed numerous revisions to provide a significant amount of state subsidy for educational costs; and

Whereas, the next fiscal year for school districts begins July 1, 1988; and

Whereas, the effective date of this Act is July 1, 1988; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 20-A MRSA §15602, sub-§3 is enacted to read:

3. Percentage. Effective 1989-90, the percentage of the State's share of the operating cost allocation on a statewide basis shall be no less than the percentage of the State's share of operating costs in 1988-89.

Sec. 2. 20-A MRSA §15603, sub-§16, as enacted by PL 1983, c. 859, Pt. G, §§2 and 4, is amended to read:

16. Local share percentage for operating costs. "Local share percentage for operating costs" means the rate