

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 electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

FIRST REGULAR SESSION
December 2, 2020 to March 30, 2021

FIRST SPECIAL SESSION
April 28, 2021 to July 19, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
OCTOBER 18, 2021

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

Augusta, Maine
2021

assist individuals with the activities of daily living and instrumental activities of daily living. The review must examine whether the department has sufficient oversight and enforcement authority over agencies, employees and independent contractors and caregivers to ensure the appropriate quality and safety of individuals receiving home care services. The department shall include providers, consumers, direct care workers, the long-term care ombudsman and other interested parties in the review process. The department shall submit a report, no later than January 15, 2022, to the Joint Standing Committee on Health and Human Services with recommendations including suggested legislation. The committee is authorized to report out legislation to the Second Regular Session of the 130th Legislature.

Sec. 2. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

Developmental Services - Community Z208

Initiative: Provides one-time funding to increase an existing contract to ensure successful research, coordination, facilitation and report writing.

GENERAL FUND	2021-22	2022-23
All Other	\$17,500	\$0
GENERAL FUND TOTAL	\$17,500	\$0

Long Term Care - Office of Aging and Disability Services 0420

Initiative: Provides one-time funding to increase an existing contract to ensure successful research, coordination, facilitation and report writing.

GENERAL FUND	2021-22	2022-23
All Other	\$17,500	\$0
GENERAL FUND TOTAL	\$17,500	\$0

Office of MaineCare Services 0129

Initiative: Provides one-time funding to increase an existing contract to ensure successful research, coordination, facilitation and report writing.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$35,000	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$35,000	\$0

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

GENERAL FUND	\$35,000	\$0
FEDERAL EXPENDITURES FUND	\$35,000	\$0

DEPARTMENT TOTAL - ALL FUNDS	\$70,000	\$0
-------------------------------------	-----------------	------------

See title page for effective date.

**CHAPTER 118
H.P. 1085 - L.D. 1469**

Resolve, To Provide Add-on Payments for Ambulance Services Reimbursed by the MaineCare Program and To Increase Reimbursement Rates for Physical Therapy under the MaineCare Program

Sec. 1. Department of Health and Human Services to apply Medicare add-ons to MaineCare rates for ambulance services.

Resolved: That, no later than October 1, 2021, the Department of Health and Human Services shall amend its rules in Chapter 101: MaineCare Benefits Manual, Chapter III, Section 5, Ambulance Services, to provide additional add-on supplements for ambulance services that are equivalent to payments required under Medicare ambulance services under 42 United States Code, Section 1395m(l). The department shall use the same geographic zip codes applicable for rural, urban and super rural payments as established by 42 United States Code, Section 1395m(l) and related federal rules. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

Sec. 2. Cost-based reimbursement work group for ambulance services. Resolved:

That the Department of Health and Human Services shall convene a work group to consider the feasibility and cost of implementing cost-based reimbursement for ambulance services provided to MaineCare members. The work group must include representatives of the Emergency Medical Services' Board within the Department of Public Safety, the Maine Ambulance Association and ambulance providers. The department shall submit a report, with recommendations, to the Joint Standing Committee on Health and Human Services no later than January 15, 2022. The committee is authorized to report out legislation related to the recommendations.

Sec. 3. Department of Health and Human Services to increase MaineCare reimbursement rates for physical therapy. Resolved:

That, no later than October 1, 2021, the Department of Health and Human Services shall amend its rules in Chapter 101: MaineCare Benefits Manual, Chapter III, Section 85, Physical Therapy Services, to increase reimbursement rates for physical therapy services to no less than 57% of the federal Medicare reimbursement rate for

these services as long as the rate is no lower than the rate reimbursed as of January 1, 2021. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

Sec. 4. Appropriations and allocations. The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

Medical Care - Payments to Providers 0147

Initiative: Provides funding for the Department of Health and Human Services to amend the rules under Chapter 101: MaineCare Benefits Manual, Chapter III, Section 5, Ambulance Services, to provide additional add-on supplements that are equivalent to payments required under Medicare ambulance services under 42 United States Code, Section 1395m(l).

GENERAL FUND	2021-22	2022-23
All Other	\$243,828	\$327,814
GENERAL FUND TOTAL	\$243,828	\$327,814

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$477,856	\$634,432
FEDERAL EXPENDITURES FUND TOTAL	\$477,856	\$634,432

Medical Care - Payments to Providers 0147

Initiative: Provides funding to set the reimbursement rates for physical therapy services under the Department of Health and Human Services rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 85 at 57% of the federal Medicare reimbursement rate as long as the rate is no lower than the rate in effect on January 1, 2021.

GENERAL FUND	2021-22	2022-23
All Other	\$400,951	\$539,056
GENERAL FUND TOTAL	\$400,951	\$539,056

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$712,802	\$945,948
FEDERAL EXPENDITURES FUND TOTAL	\$712,802	\$945,948

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

	2021-22	2022-23
GENERAL FUND	\$644,779	\$866,870
FEDERAL EXPENDITURES FUND	\$1,190,658	\$1,580,380

DEPARTMENT TOTAL - ALL FUNDS	\$1,835,437	\$2,447,250
-------------------------------------	--------------------	--------------------

See title page for effective date.

**CHAPTER 119
H.P. 1086 - L.D. 1470**

**Resolve, Regarding
Reimbursement for Providing
Inpatient Care to Individuals
with Acute Mental Health Care
Needs**

Sec. 1. Department of Health and Human Services to increase MaineCare rates. Resolved: That the Department of Health and Human Services shall amend its rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 45.03 to provide reimbursement for patients discharged from Southern Maine Health Care's psychiatric inpatient unit in the amount of \$10,166 per distinct discharge. The department shall amend its rule pursuant to this section in time to be submitted to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services with an effective date of the reimbursement required by this section of October 1, 2021. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

Sec. 2. Department of Health and Human Services to seek available funds for uninsured patients. Resolved: That the Department of Health and Human Services shall seek and apply for available federal funds or funds from any other sources to pay the costs of providing inpatient psychiatric care to uninsured patients who are discharged from acute care hospitals.

Sec. 3. Report. Resolved: That, no later than December 1, 2021, the Department of Health and Human Services shall submit a report to the Joint Standing Committee on Health and Human Services regarding the progress the department has made in developing a reimbursement rate to provide inpatient psychiatric care under its rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 45.03. The joint standing committee is authorized to report out legislation related to the report to the Second Regular Session of the 130th Legislature.

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

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

Medical Care - Payments to Providers 0147