

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

SECOND SPECIAL SESSION
September 29, 2021

SECOND REGULAR SESSION
January 5, 2022 to May 9, 2022

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 29, 2021

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 8, 2022

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

Augusta, Maine
2022

(5) Any other statutory changes necessary to implement changes to the system described in paragraph A; and

C. Report to the joint standing committee of the Legislature having jurisdiction over taxation matters by February 1, 2023 the projected impact and policy considerations of adopting a corporate income tax system that requires worldwide combined reporting for income tax purposes and that allows a corporation to elect to compute income by a water's edge combined report. Maine Revenue Services shall include in its report an analysis of how such a system would affect conformity of the State's income tax system with the federal income tax system, including changes to the federal system currently being considered by the United States Congress.

Sec. 3. Legislation. Resolved: That the joint standing committee of the Legislature having jurisdiction over taxation matters may submit legislation related to the report submitted pursuant to this resolve to the 131st Legislature in 2023.

See title page for effective date.

**CHAPTER 171
S.P. 272 - L.D. 684**

Resolve, To Amend MaineCare Reimbursement Provisions Governing Supplemental Payments to Nursing Facilities with High MaineCare Use

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

Whereas, under the current MaineCare program for reimbursing a nursing facility, to be eligible for a supplemental payment, the nursing facility must have base year direct and routine aggregate costs per day that are less than the median aggregate direct and routine allowable costs for the facility's peer group; and

Whereas, the people of the State need and deserve financially stable nursing facilities; and

Whereas, nursing facilities take care of the most vulnerable and elderly Maine residents and prompt action is needed to support nursing facilities in that endeavor; 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

Sec. 1. Department of Health and Human Services to amend payments to nursing facilities with high MaineCare utilization. Resolved:

That, by July 1, 2021, 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, governing supplemental payments to nursing facilities where the number of MaineCare residents constitutes more than 80% of the total number of residents to remove the requirement that such nursing facilities have base year direct and routine aggregate costs per day that are less than the median aggregate direct and routine allowable costs for the facility's peer group.

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

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF
Nursing Facilities 0148**

Initiative: Provides funding for the Department of Health and Human Services to amend its rules governing supplemental payments to nursing facilities where the number of MaineCare residents constitutes more than 80% of the total number of residents to remove the requirement that such nursing facilities have base year direct and routine aggregate costs per day that are less than the median aggregate direct and routine allowable costs for the facility's peer group.

GENERAL FUND	2021-22	2022-23
All Other	\$21,592	\$24,185
GENERAL FUND TOTAL	\$21,592	\$24,185
FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$53,635	\$51,042
FEDERAL EXPENDITURES FUND TOTAL	\$53,635	\$51,042
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$4,802	\$4,802
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,802	\$4,802

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective May 2, 2022.