

MAINE STATE LEGISLATURE

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Janet T. Mills
GOVERNOR

STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND
FINANCIAL SERVICES
BUREAU OF THE BUDGET
58 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0058

KIRSTEN LC FIGUEROA
COMMISSIONER

BETH L ASHCROFT
STATE BUDGET OFFICER

To: The Honorable Troy D. Jackson, President of the Senate
Members of the 129th Senate
The Honorable Sara Gideon, Speaker of the House
Members of the 129th House of Representatives
From: Beth Ashcroft, State Budget Officer *BA*
Date: December 17, 2019
Subject: Federal Mandates

The State Budget Officer is required by 5 M.R.S.A., Section 1670, to submit a list, to all members of the Legislature, of any new laws, regulations, or other actions that may require the State to comply with any new federal mandate in the current biennium or the next biennium.

Attached please find the report of federal mandates as submitted from the various State departments and agencies.

If you should have any questions regarding this report, please do not hesitate to contact the Budget Office at (207) 624-7810.

Thank you

BLA/sao

cc: Christopher Nolan, Director, OFPR
Kirsten LC Figueroa, Commissioner, DAFS
Elaine Apostola, Deputy Director ME State Law & Legislative Reference Library
Darek M Grant, Secretary of the Senate
Robert B Hunt, Clerk of the House

FEDERAL MANDATES

DEPARTMENT OR AGENCY	PROGRAM NAME & ACCOUNT #	FED CITE	DESCRIPTION OF THE PURPOSE OF THE MANDATE	IMPLEMENT- TATION DATE (DD-MM-YY)	FUND (SEE KEY)	AMOUNT	STATE FISCAL YEAR
OADS	Office of Aging and Disability Services Central Office 01010A014001 & 01310A014001	Section 731 OAA	Older Americans Act: SUA Required to appoint a legal assistance developer by ACL		013	\$91,513	Ongoing
OMS/OADS	010,013 Z218 Medicaid Waiver for Brain Injury Residential/Community Serv; 010,013 0147 Medical Care Services; 010,013 Z217 Medicaid Waiver for Other Related Conditions; 010,013 Z211 Devels Svcs Waiver- MaineCare	1915(i) State Plan HCBS, 5-Year Period for Waivers, Provider Payment Reassignment, Setting Requirements for Community First Choice, and 1915(c) HCBS Waivers - CMS-2249-F/CMS- 2296-F	Federal Centers for Medicare & Medicaid Services (CMS): The rule requires that people who receive home- and community-based services and supports funded through Medicaid (known as MaineCare in Maine) must receive those services and supports in settings (places) that meet specific standards	3/17/2022	010, 013	unknown	Ongoing

FUND KEY: 010, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 024, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 046, 047, 048, 049, 052, 053, 054, 055, 056, 057, 058, 059, 060, 061, 062, 063, 064, 065, 066, 067, 069, 070, 071, 072, 074, 075, 076, 077, 078, 080, 081, 082, 083, 084, 085, 086, 087, 088, 089, 090, 091, 098, 099, 100

FEDERAL MANDATES

DEPARTMENT OR AGENCY	PROGRAM NAME & ACCOUNT #	FED CITE	DESCRIPTION OF THE PURPOSE OF THE MANDATE	IMPLEMENT- TATION DATE (DD-MM-YY)	FUND (SEE KEY)	AMOUNT	STATE FISCAL YEAR
DHHS/OMS	N/A	Section 1004 of the SUPPORT for Patients and Communities Act	CMS released new guidance to states related to the use of prescription opioids by updating standard requirements for the Medicaid Drug Utilization Review (DUR) program. There were small system changes on the MaineCare Pharmacy side.	1/1/2020	N/A	N/A	N/A
DHHS/OMS	N/A	SUPPORT for Patients and Communities Act (P.L. 115-271)	Requires that states report behavioral health measures in the adult core set beginning with reports for FY 2024.	FFY 2024 (unknown exactly)			Unknown
DHHS/OMS	MaineCare 0129	Section 12006 21st Century Cures Act	Electronic Visit Verification - For all Personal Care and Home Health Services the Medicaid agency must implement an electronic system that verifies the date of service, location of service, type of service provided and who provided the services as well as the individual receiving the service and start and end times of service for better accountability and tracking of service delivery. <i>Note: This was submitted last year, with an implementation date of 1/1/20. Maine was granted a good faith exemption until 1/1/21, but we plan to implement by 7/1/20.</i>	7/1/2020		Annual operations costs - \$1.2M	SFY 2020

FUND KEY: 010, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 024, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 046, 047, 048, 049, 052, 053, 054, 055, 056, 057, 058, 059, 060, 061, 062, 063, 064, 065, 066, 067, 069, 070, 071, 072, 074, 075, 076, 077, 078, 080, 081, 082, 083, 084, 085, 086, 087, 088, 089, 090, 091, 098, 099, 100

REV. 11/2/2018

FEDERAL MANDATES	
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RPC	RPC - Z21950	S&C Memo 18-06	CMS Ligature Risk Policy, to mitigate suicide risk at psychiatric hospitals	12/8/2017	010	\$1,100,000	2019
DDPC	DDPC-Z22255	S&C Memo 18-06	CMS Ligature Risk Policy, to mitigate suicide risk at psychiatric hospitals	12/8/2017	010	\$1,100,000	2019 & 2020

FUND KEY: 010, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 024, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 046, 047, 048, 049, 052, 053, 054, 055, 056, 057, 058, 059, 060, 061, 062, 063, 064, 065, 066, 067, 069, 070, 071, 072, 074, 075, 076, 077, 078, 080, 081, 082, 083, 084, 085, 086, 087, 088, 089, 090, 091, 098, 099, 100

REV. 11/2/2018

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ACF	Forest Protection; 014-01A-Z232-54	14 CFR § 91.225 14 CFR § 91.227	ADS-B is a system in which electronic onboard equipment automatically broadcasts the location of the aircraft using a transponder on the aircraft	1/1/2020	014	\$60,000	2020
ACF	Forest Resource (Stewardship); 013- 01A-Z233-52	CFDA 10.678	States required by USFS directive (17 May 2019) to identify Forest Stewardship Program Priority Areas; not more than 50% of total eligible lands may be designated.	5/17/2019	013		2020

FUND KEY: 010, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 024, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 046, 047, 048, 049, 052, 053, 054, 055, 057, 058, 059, 060, 061, 062, 063, 064, 065, 066, 067, 069, 070, 071, 072, 074, 075, 076, 077, 078, 080, 081, 082, 083, 084, 085, 086, 087, 088, 089, 090, 091, 098, 099, 100
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