

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
113TH LEGISLATURE  
SECOND REGULAR SESSION



BILL SUMMARY  
JOINT STANDING COMMITTEE  
ON  
HUMAN RESOURCES

MAY 1988

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**ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST & SECOND SPECIAL SESSIONS  
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE  
BILL SUMMARIES  
MAY 1988**

*This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The summaries are arranged by LD number under each committee.*

*All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action is listed to the right of the title. If final House and Senate action differ, both are listed. Committee Reports and Floor Action are indicated as follows::*

<b>OTP</b>	<b>Ought to Pass</b>
<b>OTP-ND</b>	<b>Ought to Pass in New Draft</b>
<b>OTP-ND-NT</b>	<b>Ought to Pass in New Draft, New Title</b>
<b>OTP-A</b>	<b>Ought to Pass as Amended</b>
<b>ONTP</b>	<b>Ought Not to Pass</b>
<b>LVWD</b>	<b>Leave to Withdraw</b>
<b>INDEF PP</b>	<b>Indefinitely Postponed</b>

*Each individual summary was prepared by the analyst assigned, as noted for each committee. But, this document was produced by the efforts of all the office staff, including Secretaries: Charlene Brann, Janet Jean, Earl Knox, Valarie Parlin; Research Assistant Hartley Palleschi. Finally, Secretary Lorette Knox, Legal Assistant Carolyn Chick, and Research Assistant Robert Dunn had special responsibilities in the preparation of the overall document.*

*Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.*

JOINT STANDING COMMITTEE ON HUMAN RESOURCES

LD An Act to Require the Department of Human Services to LV/WD  
332 Reimburse Nursing Homes for the Reasonable Costs of  
Recruiting, Training and Retaining Qualified Nursing Staff

SPONSOR(S) COMMITTEE REPORT AMENDMENTS ADOPTED  
BUSTIN LV/WD  
BOUTILIER  
HICKEY

SUMMARY

This bill was carried over from the 1st Regular Session. It sought to require the Department of Human Services to reimburse nursing homes for the reasonable costs of recruiting, training and retaining qualified nursing staff. The sponsor introduced a substitute draft at the work session. The substitute would have established a new framework for reimbursing the reasonable costs associated with recruiting, training, and retaining qualified nursing staff in nursing homes. It established a new base year and discussed subsequent adjustments to that rate. It also provided for full reimbursement, on a reasonable cost basis, of all additional costs directly related to staff turnover and training.

LD An Act to Promote Equity in Determining Medicaid Eligibility PUBLIC  
412 for Institutionalized Care 834

SPONSOR(S) COMMITTEE REPORT AMENDMENTS ADOPTED  
MARTIN J OTP H-751 DIAMOND  
LISNIK  
DELLERT  
CLARK N

SUMMARY

This bill held over from the 1st Regular Session, would have established special income rules for determining Medicaid eligibility of married couples when one member of the couple is eligible for institutional care funded by Medicaid. Current law establishes a rebuttable presumption that each spouse has 1/2 interest in the total combined monthly income of both spouses. The bill would have provided several statutory criteria for rebutting that presumption.

Enactment of this bill may have placed Maine in noncompliance with federal Medicaid rules and jeopardized Maine's Medicaid funding. During the 1st Regular Session, the Committee Amendment (H-307) would have enacted the legislation and sunset the legislation effective March 1, 1988. This was an attempt to send a strong message to Congress that action is needed to correct the current inequity while not jeopardizing current Medicaid funding. House Amendment (H-374) removed the sunset provision. The bill was subsequently re-referred to the committee and held-over.

During the 2nd Regular Session, the original bill was reported out of committee. Federal legislation is pending which, if enacted, may address this issue. To avoid non-compliance with Federal law and regulations, the bill was amended in the House (H-751) to make implementation of the legislation dependent upon federal authorization.

LD An Act to Expand the Medicaid Dental Program to Include ND 2492  
467 Adults

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
BUSTIN	OTP-ND	
GAUVREAU		
MARTIN J		
DIAMOND		

SUMMARY  
Replaced By LD 2492

This bill held over from the 1st Regular Session, sought to establish a Medicaid dental program for adults. During the presentation of this bill the sponsors asked that the committee consider expanding child participation in the Medicaid dental program. The committee held the bill over until the next regular session to gather more data, specifically on establishing priorities for the limited resources which could be allocated to this proposal.

An adhoc Medicaid Dental Services Study Group was formed to advise the committee on an appropriate adult dental program. This bill was reported out of committee in new draft. See LD 2492.

LD An Act to Require Principles of Reimbursement for INDEF PP  
491 Intermediate Care Facilities for the Mentally Retarded to  
Include Provisions for Covering Increases in Insurance

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
BUSTIN	INDEF PP	S-312
TAYLOR		
BOUTILIER		
THISTLE		

SUMMARY  
The original bill requires the Department of Human Services to include adjustments for insurance premiums in the principles of reimbursement for group and nursing homes providing residential care for mentally retarded citizens. The new draft (LD 1603) added boarding care facilities and included an appropriation and a fiscal note. The new draft was referred back to the Committee and held over to the 2nd Regular Session. The original bill was amended (S-312) during the 2nd Regular Session to add an appropriation and a fiscal note.