

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON HEALTH AND
HUMAN SERVICES**

May 2016

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STATE OF MAINE

127TH LEGISLATURE

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LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the Second Regular Session of the 127th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

CARRIED OVER..... *carried over to a subsequent session of the Legislature*
CON RES XXX..... *chapter # of constitutional resolution passed by both houses*
CONF CMTE UNABLE TO AGREE..... *Committee of Conference unable to agree; legislation died*
DIED BETWEEN HOUSES..... *House & Senate disagreed; legislation died*
DIED IN CONCURRENCE..... *defeated in each house, but on different motions; legislation died*
DIED ON ADJOURNMENT..... *action incomplete when session ended; legislation died*
EMERGENCY..... *enacted law takes effect sooner than 90 days after session adjournment*
FAILED, EMERGENCY ENACTMENT or PASSAGE..... *emergency failed to receive required 2/3 vote*
FAILED, ENACTMENT or FINAL PASSAGE..... *failed to receive final majority vote*
FAILED, MANDATE ENACTMENT..... *legislation proposing local mandate failed required 2/3 vote*
HELD BY GOVERNOR..... *Governor has not signed; final disposition to be determined at subsequent session*
LEAVE TO WITHDRAW..... *sponsor's request to withdraw legislation granted*
NOT PROPERLY BEFORE THE BODY..... *ruled out of order by the presiding officer; legislation died*
INDEF PP..... *indefinitely postponed; legislation died*
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... *ought-not-to-pass report accepted; legislation died*
P&S XXX..... *chapter # of enacted private & special law*
PUBLIC XXX..... *chapter # of enacted public law*
RESOLVE XXX..... *chapter # of finally passed resolve*
VETO SUSTAINED..... *Legislature failed to override Governor's veto*

The effective date for non-emergency legislation enacted in the First Regular Session of the 127th Legislature is July 29, 2016. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Health and Human Services

This bill requires the Department of Health and Human Services to determine the eligibility for benefits of recipients of State assistance on an annual basis.

LD 886 Resolve, Directing the Department of Health and Human Services To Increase Reimbursement Rates for Home-based and Community-based Services

RESOLVE 83

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ESPLING E LIBBY N	OTP-AM	H-645 S-520 HAMPER J

This resolve was carried over from the First Regular Session of the 127th Legislature.

This resolve directs the Department of Health and Human Services to increase the reimbursement rates for home-based and community-based services by January 15, 2016.

Committee Amendment "A" (H-645)

This amendment replaces the resolve. The amendment directs the Department of Health and Human Services to amend its rules to increase the reimbursement rates for personal care and related services to reflect the final rates modeled in the February 1, 2016 report "Rate Review for Personal Care and Related Services: Final Rate Models." The amendment also directs the Department of Health and Human Services to amend its rules to increase the reimbursement rates by 33% for home health services provided under the provisions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 40. The amendment requires the Department of Health and Human Services to estimate the number of hours, and cost of those hours, of unmet need. The estimate must include individuals eligible for services but who are on waiting lists and individuals who are unable to find staffing in order to receive those services. The amendment also adds appropriations and allocations sections.

Senate Amendment "A" To Committee Amendment "A" (S-520)

This amendment strikes language from Committee Amendment "A" regarding the reimbursement for home health services and requires rulemaking for reimbursement rates that reflect 50% of the increase, instead of 100% of the increase as in the committee amendment, in rates in the report prepared by Burns & Associates, Inc. This amendment also requires the Department of Health and Human Services to conduct a rate study of services in rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 40, Home Health Services. The department is required to provide a report to the joint standing committee of the Legislature having jurisdiction over health and human services matters with findings and recommendations for changes to the rates no later than January 1, 2017.

Enacted Law Summary

Resolve 2015, chapter 83 directs the Department of Health and Human Services to amend its rules to increase the reimbursement rates for personal care and related services to reflect 50% of the final rates modeled in the February 1, 2016 report "Rate Review for Personal Care and Related Services: Final Rate Models" prepared by Burns & Associates, Inc. The department shall estimate the number of hours, and cost of those hours, of unmet need. Unmet need includes individuals eligible for services but who are on waiting lists and individuals who are unable to find staffing in order to receive those services.

Resolve 2015, chapter 83 also requires the Department of Health and Human Services to conduct a rate study of services in rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 40, Home Health Services. The department is required to provide a report to the joint standing committee of the Legislature having jurisdiction over health and human services matters with findings and recommendations for changes to the Section 40 rates no later than January 1, 2017.