

MAINE STATE LEGISLATURE

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STATE OF MAINE
130TH LEGISLATURE
SECOND REGULAR SESSION



Disposition of bills and summaries of all laws enacted or finally passed

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

July 2022

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JOINT STANDING COMMITTEE ON HEALTH AND HUMAN SERVICES

LD 1771 Resolve, To Establish the Advisory Panel to Better Understand and Make Recommendations Regarding the Implications of Genome-editing Technology for the Citizens of the State

ENACTED LAW SUMMARY

Resolve 2021, chapter 177 establishes the Advisory Panel to Better Understand and Make Recommendations Regarding the Implications of Genome-editing Technology for the Citizens of the State. The panel shall study the implications of genome-editing technology and the legislative, administrative or other steps that the State should take to capitalize on the potential and avoid the hazards of genome-editing technology. In performing its duties, the panel shall solicit the testimony, advice or participation of persons with a wide range of backgrounds or areas of expertise. Outside funding is required to fund the activities of the panel. The report of the panel must be submitted to the joint standing committee of the Legislature having jurisdiction over health and human services matters no later than November 2, 2022.

LD 1781 An Act To Align Postpartum MaineCare Coverage with Federal Law

ENACTED LAW SUMMARY

Public Law 2021, chapter 519 aligns state law with the requirements under federal law to allow for postpartum MaineCare coverage for a qualified woman and a noncitizen legal admitted to the United States. It repeals provisions enacted by Public Law 2021, chapter 461 that expanded postpartum coverage on a graduated schedule and replaces them with coverage beginning August 1, 2022. It clarifies that, in order to receive postpartum MaineCare coverage, a noncitizen legal admitted to the United States must be otherwise eligible for MaineCare and corrects the income eligibility to 209% of the nonfarm income official poverty line. It also clarifies that expanded postpartum MaineCare coverage for qualified women is allowed as long as federal law allows for it; the new federal option for 12 months of postpartum coverage is currently set to expire on April 1, 2027.

LD 1787 An Act to Improve the Quality and Affordability of Health Care Provided by Federally Qualified Health Centers

ENACTED LAW

Public Law 2021, chapter 747 provides for rebasing of MaineCare federally qualified health center reimbursement rates to provide that:

1. By March 1, 2023, an alternative, updated prospective payment method for each federally qualified health center that is the same as the prospective payment system set forth in 42 United States Code, Section 1396a(bb)(3), except that the base year for determining the costs of providing services must be the average of the reasonable costs incurred in the center's fiscal

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years ending in 2018 and 2019, adjusted for any change in scope adjustments approved since the base year and for inflation measured by the federally qualified health center market basket percentage published by the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services. Each federally qualified health center must be given the option to be reimbursed under the method provided by this subsection or under the method provided by federal law. After December 31, 2023, the department may update the base year described in this subsection to a more recent base year;

2. Adjustments to federally qualified health center rates for changes in the scope of services provided by a federally qualified health center must adjust the center's reimbursement rate to reflect changes in its costs of providing services whenever the center establishes that it has experienced a material change in either the type, intensity, duration or quantity of services provided or the characteristics of the population receiving a service that affect the cost of the service. Adjustments must reflect costs incurred retroactive to the date that the department received the federally qualified health center request for the adjustment, unless the department determines that the change in scope was due to conditions or events that were beyond the control of the federally qualified health center, in which case the adjustment must be retroactive to the more recent of the date that the federally qualified health center incurred the cost increases requiring an adjustment and the date that is one year prior to the date the department received the federally qualified health center change in scope request; and
3. The Department of Health and Human Services may develop an alternative payment model. The alternative payment model must be consistent with the requirements of 42 United States Code, Section 1396a(bb). As long as federal law continues to require that the department allow a federally qualified health center to elect to use the prospective payment system set forth in 42 United States Code, Section 1396a(bb)(3), the alternative payment model must be an additional option and not a replacement of the updated base year option. In developing the alternative payment model, the department is required to consult with federally qualified health centers and provide a reasonable opportunity for dialogue and exchange of data before any rule implementing such a model is proposed.

Public Law 2021, chapter 747 was enacted as an emergency measure effective May 8, 2022.

LD 1824 Resolve, To Establish the Commission To Develop a Pilot Program To Provide Legal Representation to Families in the Child Protection System

ENACTED LAW SUMMARY

Resolve 2021, chapter 181 establishes the Commission To Develop a Pilot Program To Provide Legal Representation to Families in the Child Protection System. The commission is required to develop a pilot program to provide legal counsel to parents and custodians as soon as the Department of Health and Human Services has begun a safety assessment to determine if a child is at risk of harm. The commission is required to submit a report, no later than November 2, 2022,