



Paul R. LePage, Governor

Mary C. Mayhew, Commissioner

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March 7, 2013

Senator Margaret Craven, Co-Chair
Representative Richard Farnsworth, Co-Chair
Committee on Health and Human Services
100 State House Station
Augusta, ME 04333

RE: Neither For Nor Against LD 488, An Act to Improve Access to Home-based and Community-based Care in the MaineCare

Dear Senator Craven, Representative Farnsworth, and members of the Joint Standing Committee on Health and Human Services:

The intent of this bill is to increase the current program cap for services under Section 19, Home and Community Benefits for the Elderly and Adults with Disabilities. Section 19 offers in-home care and other services to assist adults who meet financial and medical eligibility for nursing facility level of care. In-home services include care coordination, nursing, personal care, therapies, adult day, respite, home modifications, transportation, and emergency response systems. This program allows for consumer-directed service delivery and a family representative option to manage a member's services. Informal supports are often part of the comprehensive plan of care.

Under Section 19, the cost of services needed by the member on a monthly basis must be less than one hundred percent (100%) of the average monthly MaineCare cost of care in a nursing facility. Currently, a member on Section 19 may be authorized services up to \$4341 per month, with an additional \$3000 per year available for needed home modifications.

If the intent of LD 488 is to increase the current program cap for services, there will be a fiscal impact. Depending on how this bill is intended to be implemented, the fiscal cost could potentially be \$7,355,558.34 in State General Funds and \$11,902,350.66 in federal match¹. A waiver amendment through CMS would also be required.

The Department strongly proposes that consideration of any changes to the Section 19 waiver, including consideration of the program cap, be incorporated into already on-going work on PL 2011, Chapter 422 (often referred to as LD 683) and the planned consolidation of the Section 19 waiver with the Section 22 waiver (Home and Community Benefits for the Physically Disabled),

¹ Calculation of these costs takes into account all MaineCare services provided to nursing facility residents.

known as the self-directed waiver. Because those two waivers have different program caps based on different cost neutrality factors, analysis of these caps will be a necessary part of that work.

I hope that the above information is helpful to you. Please do not hesitate to contact me if you should have any questions or require any additional information. If you wish, I would be glad to make myself available for questions at the work session.

Respectfully,

A handwritten signature in black ink that reads "Ricker Hamilton". The signature is written in a cursive style with a long horizontal stroke at the beginning.

Ricker Hamilton, Director
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