

LD 2109

L.D. 2109

Date:

(Filing No. H-)

HEALTH AND HUMAN SERVICES

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE

HOUSE OF REPRESENTATIVES

129TH LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT “ ” to H.P. 1504, L.D. 2109, Bill, “An Act To Implement the Recommendations of the Commission To Study Long-term Care Workforce Issues”

Amend the bill by striking out the title and substituting the following:

'Resolve, To Increase MaineCare Reimbursement Rates for Services Provided by Direct Care Workers'

Amend the bill by striking out everything after the title and inserting the following:

'Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the 90-day period will not terminate until after the beginning of the next fiscal year; and

Whereas, this legislation affects obligations and expenses during the course of the current fiscal year and requires immediate attention; and

Whereas, current state reimbursement rates for services providing long-term supports and services do not account for the current minimum wage requirements; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Reimbursement. Resolved: That the Department of Health and Human Services shall amend its rules to increase MaineCare reimbursement rates for home and community-based services by no less than \$2 an hour for the following services:

1. Attendant care services provided under the provisions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 12, Allowances for Consumer-directed Attendant Services;

①

1 2. Adult day care and home support services provided under the provisions of
2 Chapter 101: MaineCare Benefits Manual, Chapter III, Section 18, Allowances for Home
3 and Community-based Services for Adults with Brain Injury;

4 3. Attendant care services, personal care services, respite care services, home health
5 aide services and certified nurse's aide services provided under the provisions of Chapter
6 101: MaineCare Benefits Manual, Chapter III, Section 19, Home and Community
7 Benefits for the Elderly and Adults with Disabilities;

8 4. Personal care services, home support services and community support provided
9 under the provisions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section
10 20, Allowances for Home and Community-based Services for Adults with Other Related
11 Conditions;

12 5. Home support services, shared living and community support services provided
13 under the provisions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section
14 21, Allowances for Adults with Intellectual Disabilities or Autism Spectrum Disorder;

15 6. Day care services provided under the provisions of Chapter 101: MaineCare
16 Benefits Manual, Chapter III, Section 26, Day Health Services;

17 7. Home support services, community support and respite services provided under
18 the provisions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 29,
19 Allowances for Support Services for Adults with Intellectual Disabilities or Autism
20 Spectrum Disorder; and

21 8. Personal support services, certified nursing assistant services, home health aide
22 services and chore services provided under the provisions of Chapter 101: MaineCare
23 Benefits Manual, Chapter III, Section 96, Private Duty Nursing and Personal Care
24 Services.

25 **Sec. 2. Reimbursement. Resolved:** That the Department of Health and Human
26 Services shall amend its rules to increase reimbursement rates for state-funded home and
27 community-based services by no less than \$2 an hour for the following services:

28 1. Personal assistance provided under the provisions of 14-197 C.M.R. Chapter 11,
29 Consumer-directed Personal Assistance Services;

30 2. Day care services provided under the provisions of 10-149 C.M.R. Chapter 5,
31 Office of Aging and Disability Services Policy Manual, Section 61, Adult Day Services;

32 3. Attendant care services, personal care services, respite care services, home health
33 aide services and certified nursing assistant services provided under the provisions of 10-
34 149 C.M.R. Chapter 5, Office of Aging and Disability Services Policy Manual, Section
35 63, In-home and Community Support Services for Elderly and Other Adults;

36 4. Respite care services provided under the provisions of 10-149 C.M.R. Chapter 5,
37 Office of Aging and Disability Services Policy Manual, Section 68, Respite Care Services
38 for People with Alzheimer's or Related Disorders; and

39 5. Homemaker services provided under the provisions of 10-149 C.M.R. Chapter 5,
40 Office of Aging and Disability Services Policy Manual, Section 69, Office of Elder
41 Services Independent Support Services Program.



129th MAINE LEGISLATURE

LD 2109

LR 3212(02)

An Act To Implement the Recommendations of the Commission To Study Long-term Care Workforce Issues

Fiscal Note for Bill as Amended by Committee Amendment " "
Committee: Health and Human Services
Fiscal Note Required: Yes

Fiscal Note

Table with 5 columns: Category, FY 2019-20, FY 2020-21, Projections FY 2021-22, Projections FY 2022-23. Rows include Net Cost (Savings), Appropriations/Allocations, and Revenue.

Fiscal Detail and Notes

The bill includes General Fund appropriations to the Department of Health and Human Services of \$21,887,977 in fiscal year 2020-21 for a rate increase of \$2 an hour for certain services. Federal Expenditures Fund allocations are also included for the FMAP match and Other Special Revenue Funds allocations for the Service Provider Tax.



ROS: Strike appropriation/allocation section and replace with below. This second revision assumes September 1 start date.

Sec. Appropriations and allocations. The following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF

Developmental Services Waiver - MaineCare Z211

Initiative: Provides appropriations for a rate increase of \$2 an hour for certain services.

GENERAL FUND	2019-20	2020-21
All Other	\$0	\$3,845,649
GENERAL FUND TOTAL	\$0	\$3,845,649

Developmental Services Waiver - Supports Z212

Initiative: Provides appropriations for a rate increase of \$2 an hour for certain services.

GENERAL FUND	2019-20	2020-21
All Other	\$0	\$739,939
GENERAL FUND TOTAL	\$0	\$739,939

Long Term Care - Office of Aging and Disability Services 0420

Initiative: Provides appropriations for a rate increase of \$2 an hour for certain services.

GENERAL FUND	2019-20	2020-21
All Other	\$0	\$1,966,046
GENERAL FUND TOTAL	\$0	\$1,966,046

Medicaid Services - Developmental Services Z210

Initiative: Provides appropriations and allocations for a rate increase of \$2 an hour for certain services.

GENERAL FUND	2019-20	2020-21
All Other	\$0	\$258,196
GENERAL FUND TOTAL	\$0	\$258,196

OTHER SPECIAL REVENUE FUNDS

OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
All Other	\$0	\$959,798
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$959,798

5

Medicaid Waiver for Brain Injury Residential /Community Serv Z218

Initiative: Provides appropriations for a rate increase of \$2 an hour for certain services.

GENERAL FUND	2019-20	2020-21
All Other	\$0	\$210,782
GENERAL FUND TOTAL	\$0	\$210,782

Medicaid Waiver for Other Related Conditions Z217

Initiative: Provides appropriations for a rate increase of \$2 an hour for certain services.

GENERAL FUND	2019-20	2020-21
All Other	\$0	\$103,983
GENERAL FUND TOTAL	\$0	\$103,983

Medical Care - Payments to Providers 0147

Initiative: Provides appropriations and allocations for a rate increase of \$2 an hour for certain services.

GENERAL FUND	2019-20	2020-21
All Other	\$0	\$2,216,097
GENERAL FUND TOTAL	\$0	\$2,216,097

FEDERAL EXPENDITURES FUND

	2019-20	2020-21
All Other	\$0	\$35,011,339
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$35,011,339

OTHER SPECIAL REVENUE FUNDS

	2019-20	2020-21
All Other	\$0	\$2,004,532
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$2,004,532

Nursing Facilities 0148

Initiative: Provides appropriations and allocations for a rate increase of \$2 an hour for certain services.

GENERAL FUND	2019-20	2020-21
All Other	\$0	\$3,981,384
GENERAL FUND TOTAL	\$0	\$3,981,384

FEDERAL EXPENDITURES FUND	2019-20	2020-21
All Other	\$0	\$8,378,263
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$8,378,263

OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
All Other	\$0	\$788,913
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$788,913

Office of Substance Abuse & Mental Health Srv-Medicaid Seed Z202

Initiative: Provides appropriations for a rate increase of \$2 an hour for certain services.

GENERAL FUND	2019-20	2020-21
All Other	\$0	\$8,565,901
GENERAL FUND TOTAL	\$0	\$8,565,901

HEALTH AND HUMAN SERVICES, DEPARTMENT OF		
DEPARTMENT TOTALS	2019-20	2020-21
GENERAL FUND	\$0	\$21,887,977
FEDERAL EXPENDITURES FUND	\$0	\$43,389,602
OTHER SPECIAL REVENUE FUNDS	\$0	\$3,753,243
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$69,030,822

