

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

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

5 Whereas, certain obligations and expenses incident to the operation of state
6 departments and institutions will become due and payable immediately; and

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

11 **Be it enacted by the People of the State of Maine as follows:**

12 **PART A**

13 **Sec. A-1. Appropriations and allocations.** The following appropriations and
14 allocations are made.

15 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)**

16 **Developmental Services - Community 0122**

17 Initiative: Reduces funding for reimbursement in rental assistance to United States
18 Department of Housing and Urban Development levels.

19 GENERAL FUND	2011-12	2012-13
20 All Other	\$0	(\$1,200,000)
21		
22 GENERAL FUND TOTAL	\$0	(\$1,200,000)

23 **Developmental Services Waiver - MaineCare 0987**

24 Initiative: Provides funding in the MaineCare and MaineCare-related accounts necessary
25 to make cycle payments through the remainder of the 2012-2013 biennium.

26 GENERAL FUND	2011-12	2012-13
27 All Other	\$5,808,535	\$6,299,768
28		
29 GENERAL FUND TOTAL	\$5,808,535	\$6,299,768

30 **Developmental Services Waiver - MaineCare 0987**

31 Initiative: Adjusts funding for Medicaid services as a result of the decrease of the Federal
32 Medical Assistance Percentage.

1	GENERAL FUND	2011-12	2012-13
2	All Other	\$0	\$1,190,669
3			
4	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$1,190,669</u>

5 **Developmental Services Waiver - MaineCare 0987**

6 Initiative: Reduces funding to reflect savings from payment reform in the Developmental
7 Services Waiver - MaineCare program.

8	GENERAL FUND	2011-12	2012-13
9	All Other	\$0	(\$3,000,000)
10			
11	GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$3,000,000)</u>

12 **Developmental Services Waiver - Supports Z006**

13 Initiative: Provides funding in the MaineCare and MaineCare-related accounts necessary
14 to make cycle payments through the remainder of the 2012-2013 biennium.

15	GENERAL FUND	2011-12	2012-13
16	All Other	\$1,967,371	\$5,658,034
17			
18	GENERAL FUND TOTAL	<u>\$1,967,371</u>	<u>\$5,658,034</u>

19 **Developmental Services Waiver - Supports Z006**

20 Initiative: Adjusts funding for Medicaid services as a result of the decrease of the Federal
21 Medical Assistance Percentage.

22	GENERAL FUND	2011-12	2012-13
23	All Other	\$0	\$91,346
24			
25	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$91,346</u>

26 **Disproportionate Share - Dorothea Dix Psychiatric Center 0734**

27 Initiative: Adjusts funding for Medicaid services as a result of the decrease of the Federal
28 Medical Assistance Percentage.

29	GENERAL FUND	2011-12	2012-13
30	Personal Services	\$0	\$73,700
31			
32	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$73,700</u>

33 **Disproportionate Share - Riverview Psychiatric Center 0733**

1 Initiative: Adjusts funding for Medicaid services as a result of the decrease of the Federal
2 Medical Assistance Percentage.

		2011-12	2012-13
3	GENERAL FUND		
4	Personal Services	\$0	\$111,280
5	All Other	\$0	\$40,232
6			
7	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$151,512</u>

8 **Dorothea Dix Psychiatric Center 0120**

9 Initiative: Adjusts funding for Medicaid services as a result of the decrease of the Federal
10 Medical Assistance Percentage.

		2011-12	2012-13
11	OTHER SPECIAL REVENUE FUNDS		
12	Personal Services	\$0	(\$73,700)
13			
14	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>(\$73,700)</u>

15 **FHM - Substance Abuse 0948**

16 Initiative: Adjusts funding for Medicaid services as a result of the decrease of the Federal
17 Medical Assistance Percentage.

		2011-12	2012-13
18	FUND FOR A HEALTHY MAINE		
19	All Other	\$0	\$17,976
20			
21	FUND FOR A HEALTHY MAINE TOTAL	<u>\$0</u>	<u>\$17,976</u>

22 **Medicaid Services - Developmental Services 0705**

23 Initiative: Reduces funding by eliminating targeted case management services as an
24 optional service in the MaineCare program.

		2011-12	2012-13
25	GENERAL FUND		
26	All Other	(\$389,340)	(\$1,772,320)
27			
28	GENERAL FUND TOTAL	<u>(\$389,340)</u>	<u>(\$1,772,320)</u>

29 **Medicaid Services - Developmental Services 0705**

30 Initiative: Reduces funding by eliminating private nonmedical institution services as an
31 optional service in the MaineCare program effective July 1, 2012.

1	OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
2	All Other	\$0	(\$83,408)
3			
4	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>(\$83,408)</u>

5 **Medicaid Services - Developmental Services 0705**

6 Initiative: Provides funding in the MaineCare and MaineCare-related accounts necessary
7 to make cycle payments through the remainder of the 2012-2013 biennium.

8	GENERAL FUND	2011-12	2012-13
9	All Other	\$0	\$1,201,050
10			
11	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$1,201,050</u>

12 **Medicaid Services - Developmental Services 0705**

13 Initiative: Adjusts funding for Medicaid services as a result of the decrease of the Federal
14 Medical Assistance Percentage.

15	GENERAL FUND	2011-12	2012-13
16	All Other	\$0	\$592,079
17			
18	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$592,079</u>

19 **Mental Health Services - Child Medicaid 0731**

20 Initiative: Reduces funding by eliminating optional coverage under the MaineCare
21 program for persons 19 and 20 years of age with income less than or equal to 150% of the
22 nonfarm income official poverty line.

23	GENERAL FUND	2011-12	2012-13
24	All Other	(\$64,775)	(\$351,600)
25			
26	GENERAL FUND TOTAL	<u>(\$64,775)</u>	<u>(\$351,600)</u>

27 **Mental Health Services - Child Medicaid 0731**

28 Initiative: Provides funding in the MaineCare and MaineCare-related accounts necessary
29 to make cycle payments through the remainder of the 2012-2013 biennium.

30	GENERAL FUND	2011-12	2012-13
31	All Other	\$5,290,051	\$4,709,869
32			
33	GENERAL FUND TOTAL	<u>\$5,290,051</u>	<u>\$4,709,869</u>

1 **Mental Health Services - Child Medicaid 0731**

2 Initiative: Adjusts funding for Medicaid services as a result of the decrease of the Federal
3 Medical Assistance Percentage.

4	GENERAL FUND	2011-12	2012-13
5	All Other	\$0	\$470,754
6			
7	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$470,754</u>

8 **Mental Health Services - Child Medicaid 0731**

9 Initiative: Reduces funding by reducing optional coverage for children who are
10 behaviorally challenged and who are in a residential setting.

11	GENERAL FUND	2011-12	2012-13
12	All Other	\$0	(\$500,000)
13			
14	GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$500,000)</u>

15 **Mental Health Services - Children 0136**

16 Initiative: Adjusts funding for the 2012-2013 biennium only for the Cub Care program
17 for families with income greater or equal to 150% but less than 200% of the nonfarm
18 income official poverty line as the result of contributions from the Dirigo Health Fund to
19 provide MaineCare seed for the program.

20	GENERAL FUND	2011-12	2012-13
21	All Other	(\$17,392)	(\$94,426)
22			
23	GENERAL FUND TOTAL	<u>(\$17,392)</u>	<u>(\$94,426)</u>

24 **Mental Health Services - Children 0136**

25 Initiative: Reduces funding by reducing contracts for residential services.

26	GENERAL FUND	2011-12	2012-13
27	All Other	\$0	(\$1,250,000)
28			
29	GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$1,250,000)</u>

30 **Mental Health Services - Community 0121**

31 Initiative: Reduces funding by limiting the availability of mental health crisis intervention
32 to persons who experience severe and persistent mental illness.

1	GENERAL FUND	2011-12	2012-13
2	All Other	\$0	(\$2,084,746)
3			
4	GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$2,084,746)</u>

5	FEDERAL BLOCK GRANT FUND	2011-12	2012-13
6	All Other	\$0	(\$91,369)
7			
8	FEDERAL BLOCK GRANT FUND TOTAL	<u>\$0</u>	<u>(\$91,369)</u>

9 **Mental Health Services - Community Medicaid 0732**

10 Initiative: Reduces funding by eliminating optional coverage under the MaineCare
11 program for persons 19 and 20 years of age with income less than or equal to 150% of the
12 nonfarm income official poverty line.

13	GENERAL FUND	2011-12	2012-13
14	All Other	(\$37,593)	(\$204,059)
15			
16	GENERAL FUND TOTAL	<u>(\$37,593)</u>	<u>(\$204,059)</u>

17 **Mental Health Services - Community Medicaid 0732**

18 Initiative: Reduces funding by eliminating private nonmedical institution services as an
19 optional service in the MaineCare program effective July 1, 2012.

20	GENERAL FUND	2011-12	2012-13
21	All Other	\$0	(\$12,754,745)
22			
23	GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$12,754,745)</u>

24	OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
25	All Other	\$0	(\$341,170)
26			
27	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>(\$341,170)</u>

28 **Mental Health Services - Community Medicaid 0732**

29 Initiative: Adjusts funding for Medicaid services as a result of the decrease of the Federal
30 Medical Assistance Percentage.

1	GENERAL FUND	2011-12	2012-13
2	All Other	\$0	\$614,409
3			
4	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$614,409</u>

5 **Office of Substance Abuse - Medicaid Seed 0844**

6 Initiative: Reduces funding by eliminating private nonmedical institution services as an
7 optional service in the MaineCare program effective July 1, 2012.

8	OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
9	All Other	\$0	(\$89,487)
10			
11	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>(\$89,487)</u>

12 **Office of Substance Abuse - Medicaid Seed 0844**

13 Initiative: Provides funding in the MaineCare and MaineCare-related accounts necessary
14 to make cycle payments through the remainder of the 2012-2013 biennium.

15	GENERAL FUND	2011-12	2012-13
16	All Other	\$983,953	\$869,928
17			
18	GENERAL FUND TOTAL	<u>\$983,953</u>	<u>\$869,928</u>

19 **Office of Substance Abuse - Medicaid Seed 0844**

20 Initiative: Adjusts funding for Medicaid services as a result of the decrease of the Federal
21 Medical Assistance Percentage.

22	GENERAL FUND	2011-12	2012-13
23	All Other	\$0	\$53,748
24			
25	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$53,748</u>

26 **Riverview Psychiatric Center 0105**

27 Initiative: Adjusts funding for Medicaid services as a result of the decrease of the Federal
28 Medical Assistance Percentage.

29	OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
30	Personal Services	\$0	(\$111,280)
31	All Other	\$0	(\$40,232)
32			
33	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>(\$151,512)</u>

1 **Traumatic Brain Injury Seed Z042**

2 Initiative: Adjusts funding for Medicaid services as a result of the decrease of the Federal
3 Medical Assistance Percentage.

4	GENERAL FUND	2011-12	2012-13
5	All Other	\$0	\$1,669
6			
7	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$1,669</u>

8 **HEALTH AND HUMAN SERVICES,**
9 **DEPARTMENT OF (FORMERLY BDS)**
10 **DEPARTMENT TOTALS**

		2011-12	2012-13
11			
12	GENERAL FUND	\$13,540,810	(\$1,233,361)
13	FUND FOR A HEALTHY MAINE	\$0	\$17,976
14	OTHER SPECIAL REVENUE FUNDS	\$0	(\$739,277)
15	FEDERAL BLOCK GRANT FUND	\$0	(\$91,369)
16			
17	DEPARTMENT TOTAL - ALL FUNDS	<u>\$13,540,810</u>	<u>(\$2,046,031)</u>

18 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**

19 **Bureau of Medical Services 0129**

20 Initiative: Adjusts funding for the 2012-2013 biennium only for the Cub Care program
21 for families with income greater or equal to 150% but less than 200% of the nonfarm
22 income official poverty line as the result of contributions from the Dirigo Health Fund to
23 provide MaineCare seed for the program.

24	GENERAL FUND	2011-12	2012-13
25	All Other	(\$44,413)	(\$241,124)
26			
27	GENERAL FUND TOTAL	<u>(\$44,413)</u>	<u>(\$241,124)</u>

28 **Departmentwide 0640**

29 Initiative: Reduces funding from salary savings. Notwithstanding any other provision of
30 law, the State Budget Officer shall calculate the amount of savings in this Part that
31 applies to each General Fund account in the Department of Health and Human Services
32 and shall transfer the amounts by financial order upon the approval of the Governor.
33 These transfers are considered adjustments to appropriations in fiscal year 2011-12.

1	GENERAL FUND	2011-12	2012-13
2	Personal Services	(\$5,000,000)	(\$3,000,000)
3			
4	GENERAL FUND TOTAL	<u>(\$5,000,000)</u>	<u>(\$3,000,000)</u>

FHM - Bureau of Health 0953

6 Initiative: Reduces funding to reflect a redistribution of funding in the Fund for a Healthy
7 Maine.

8	FUND FOR A HEALTHY MAINE	2011-12	2012-13
9	All Other	\$0	(\$10,783,273)
10			
11	FUND FOR A HEALTHY MAINE TOTAL	<u>\$0</u>	<u>(\$10,783,273)</u>

FHM - Donated Dental 0958

13 Initiative: Reduces funding to reflect a redistribution of funding in the Fund for a Healthy
14 Maine.

15	FUND FOR A HEALTHY MAINE	2011-12	2012-13
16	All Other	\$0	(\$36,463)
17			
18	FUND FOR A HEALTHY MAINE TOTAL	<u>\$0</u>	<u>(\$36,463)</u>

FHM - Drugs for the Elderly and Disabled Z015

20 Initiative: Reduces funding by eliminating the coinsurance deductible and copay for
21 prescription drugs and the payment of Medicare Part D premiums for certain individuals
22 receiving benefits from the Low-cost Drugs To Maine's Elderly program.

23	FUND FOR A HEALTHY MAINE	2011-12	2012-13
24	All Other	(\$247,964)	(\$1,322,475)
25			
26	FUND FOR A HEALTHY MAINE TOTAL	<u>(\$247,964)</u>	<u>(\$1,322,475)</u>

FHM - Drugs for the Elderly and Disabled Z015

28 Initiative: Reduces funding by reducing the number of prescriptions for brand name drugs
29 for which reimbursement is allowed from 4 to 2 per month unless the prescription is
30 determined to be medically necessary.

31	FUND FOR A HEALTHY MAINE	2011-12	2012-13
32	All Other	(\$55,880)	(\$279,402)
33			

1 FUND FOR A HEALTHY MAINE TOTAL (\$55,880) (\$279,402)

2 **FHM - Drugs for the Elderly and Disabled Z015**

3 Initiative: Reduces funding to reflect a redistribution of funding in the Fund for a Healthy
4 Maine.

5	FUND FOR A HEALTHY MAINE	2011-12	2012-13
6	All Other	\$0	(\$10,332,353)
7			
8	FUND FOR A HEALTHY MAINE TOTAL	<u>\$0</u>	<u>(\$10,332,353)</u>

9 **FHM - Family Planning 0956**

10 Initiative: Reduces funding to reflect a redistribution of funding in the Fund for a Healthy
11 Maine.

12	FUND FOR A HEALTHY MAINE	2011-12	2012-13
13	All Other	\$0	(\$401,430)
14			
15	FUND FOR A HEALTHY MAINE TOTAL	<u>\$0</u>	<u>(\$401,430)</u>

16 **FHM - Head Start 0959**

17 Initiative: Reduces funding to reflect a redistribution of funding in the Fund for a Healthy
18 Maine.

19	FUND FOR A HEALTHY MAINE	2011-12	2012-13
20	All Other	(\$700,000)	(\$1,354,580)
21			
22	FUND FOR A HEALTHY MAINE TOTAL	<u>(\$700,000)</u>	<u>(\$1,354,580)</u>

23 **FHM - Immunization Z048**

24 Initiative: Reduces funding to reflect a redistribution of funding in the Fund for a Healthy
25 Maine.

26	FUND FOR A HEALTHY MAINE	2011-12	2012-13
27	All Other	\$0	(\$1,078,884)
28			
29	FUND FOR A HEALTHY MAINE TOTAL	<u>\$0</u>	<u>(\$1,078,884)</u>

30 **FHM - Medical Care 0960**

1 Initiative: Adjusts funding for Medicaid services as a result of the decrease in the Federal
2 Medical Assistance Percentage.

3	FUND FOR A HEALTHY MAINE	2011-12	2012-13
4	All Other	\$0	\$113,010
5			
6	FUND FOR A HEALTHY MAINE TOTAL	<u>\$0</u>	<u>\$113,010</u>

7 **FHM - Medical Care 0960**

8 Initiative: Notwithstanding any provision of law, adjusts funding by increasing funding in
9 the Medical Care - Payments to Providers program and reducing funding in the FHM -
10 Medical Care program to reflect a redistribution of funding within the Fund for a Healthy
11 Maine.

12	FUND FOR A HEALTHY MAINE	2011-12	2012-13
13	All Other	\$1,003,844	\$25,031,096
14			
15	FUND FOR A HEALTHY MAINE TOTAL	<u>\$1,003,844</u>	<u>\$25,031,096</u>

16 **FHM - Purchased Social Services 0961**

17 Initiative: Reduces funding to reflect a redistribution of funding in the Fund for a Healthy
18 Maine.

19	FUND FOR A HEALTHY MAINE	2011-12	2012-13
20	All Other	\$0	(\$3,942,236)
21			
22	FUND FOR A HEALTHY MAINE TOTAL	<u>\$0</u>	<u>(\$3,942,236)</u>

23 **Head Start 0545**

24 Initiative: Eliminates funding for the Head Start program.

25	GENERAL FUND	2011-12	2012-13
26	All Other	(\$800,000)	(\$2,448,875)
27			
28	GENERAL FUND TOTAL	<u>(\$800,000)</u>	<u>(\$2,448,875)</u>

29 **IV-E Foster Care/Adoption Assistance 0137**

30 Initiative: Adjusts funding for Medicaid services as a result of the decrease in the Federal
31 Medical Assistance Percentage.

1	GENERAL FUND	2011-12	2012-13
2	All Other	\$0	\$13,579
3			
4	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$13,579</u>

5 **Low-cost Drugs To Maine's Elderly 0202**

6 Initiative: Reduces funding by eliminating the coinsurance deductible and copay for
7 prescription drugs and the payment of Medicare Part D premiums for certain individuals
8 receiving benefits from the Low-cost Drugs To Maine's Elderly program.

9	GENERAL FUND	2011-12	2012-13
10	All Other	(\$836,743)	(\$4,462,786)
11			
12	GENERAL FUND TOTAL	<u>(\$836,743)</u>	<u>(\$4,462,786)</u>

13 **Low-cost Drugs To Maine's Elderly 0202**

14 Initiative: Provides funding in the MaineCare and MaineCare-related accounts necessary
15 to make cycle payments through the remainder of the 2012-2013 biennium.

16	GENERAL FUND	2011-12	2012-13
17	All Other	\$1,401,437	\$0
18			
19	GENERAL FUND TOTAL	<u>\$1,401,437</u>	<u>\$0</u>

20 **Medical Care - Payments to Providers 0147**

21 Initiative: Adjusts funding for the 2012-2013 biennium only for the Cub Care program
22 for families with income greater or equal to 150% but less than 200% of the nonfarm
23 income official poverty line as the result of contributions from the Dirigo Health Fund to
24 provide MaineCare seed for the program.

25	GENERAL FUND	2011-12	2012-13
26	All Other	(\$410,995)	(\$2,231,331)
27			
28	GENERAL FUND TOTAL	<u>(\$410,995)</u>	<u>(\$2,231,331)</u>

29	OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
30	All Other	\$472,800	\$2,556,881
31			
32	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$472,800</u>	<u>\$2,556,881</u>

33 **Medical Care - Payments to Providers 0147**

1 Initiative: Reduces funding by eliminating optional coverage under the MaineCare
 2 program for families who are covered above mandatory federal levels.

3	GENERAL FUND	2011-12	2012-13
4	All Other	(\$2,184,239)	(\$8,533,575)
5			
6	GENERAL FUND TOTAL	<u>(\$2,184,239)</u>	<u>(\$8,533,575)</u>

7	FEDERAL EXPENDITURES FUND	2011-12	2012-13
8	All Other	(\$5,791,515)	(\$30,571,405)
9			
10	FEDERAL EXPENDITURES FUND TOTAL	<u>(\$5,791,515)</u>	<u>(\$30,571,405)</u>

11	OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
12	All Other	(\$1,159,127)	(\$9,614,390)
13			
14	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$1,159,127)</u>	<u>(\$9,614,390)</u>

15 **Medical Care - Payments to Providers 0147**

16 Initiative: Reduces funding by eliminating optional coverage under the MaineCare
 17 program for persons 19 and 20 years of age with income less than or equal to 150% of the
 18 nonfarm income official poverty line.

19	GENERAL FUND	2011-12	2012-13
20	All Other	(\$993,649)	(\$5,393,575)
21			
22	GENERAL FUND TOTAL	<u>(\$993,649)</u>	<u>(\$5,393,575)</u>

23	FEDERAL EXPENDITURES FUND	2011-12	2012-13
24	All Other	(\$1,898,564)	(\$10,021,863)
25			
26	FEDERAL EXPENDITURES FUND TOTAL	<u>(\$1,898,564)</u>	<u>(\$10,021,863)</u>

27 **Medical Care - Payments to Providers 0147**

28 Initiative: Reduces funding by eliminating adult family care as an optional service in the
 29 MaineCare program.

1	GENERAL FUND	2011-12	2012-13
2	All Other	(\$40,810)	(\$220,068)
3			
4	GENERAL FUND TOTAL	<u>(\$40,810)</u>	<u>(\$220,068)</u>

5	FEDERAL EXPENDITURES FUND	2011-12	2012-13
6	All Other	(\$68,641)	(\$362,332)
7			
8	FEDERAL EXPENDITURES FUND TOTAL	<u>(\$68,641)</u>	<u>(\$362,332)</u>

9 **Medical Care - Payments to Providers 0147**

10 Initiative: Reduces funding by eliminating ambulatory surgical center services as an
11 optional service in the MaineCare program.

12	GENERAL FUND	2011-12	2012-13
13	All Other	(\$17,200)	(\$93,274)
14			
15	GENERAL FUND TOTAL	<u>(\$17,200)</u>	<u>(\$93,274)</u>

16	FEDERAL EXPENDITURES FUND	2011-12	2012-13
17	All Other	(\$28,155)	(\$148,619)
18			
19	FEDERAL EXPENDITURES FUND TOTAL	<u>(\$28,155)</u>	<u>(\$148,619)</u>

20 **Medical Care - Payments to Providers 0147**

21 Initiative: Reduces funding by eliminating consumer-directed attendant services as an
22 optional service in the MaineCare program.

23	GENERAL FUND	2011-12	2012-13
24	All Other	(\$449,605)	(\$2,440,130)
25			
26	GENERAL FUND TOTAL	<u>(\$449,605)</u>	<u>(\$2,440,130)</u>

27	FEDERAL EXPENDITURES FUND	2011-12	2012-13
28	All Other	(\$772,450)	(\$4,077,499)
29			
30	FEDERAL EXPENDITURES FUND TOTAL	<u>(\$772,450)</u>	<u>(\$4,077,499)</u>

31 **Medical Care - Payments to Providers 0147**

1 Initiative: Reduces funding by eliminating targeted case management services as an
2 optional service in the MaineCare program.

3	GENERAL FUND	2011-12	2012-13
4	All Other	(\$94,312)	(\$429,320)
5			
6	GENERAL FUND TOTAL	<u>(\$94,312)</u>	<u>(\$429,320)</u>

7	FEDERAL EXPENDITURES FUND	2011-12	2012-13
8	All Other	(\$908,725)	(\$4,846,533)
9			
10	FEDERAL EXPENDITURES FUND TOTAL	<u>(\$908,725)</u>	<u>(\$4,846,533)</u>

11 **Medical Care - Payments to Providers 0147**

12 Initiative: Reduces funding by eliminating dental services as an optional service in the
13 MaineCare program.

14	GENERAL FUND	2011-12	2012-13
15	All Other	(\$410,611)	(\$2,225,611)
16			
17	GENERAL FUND TOTAL	<u>(\$410,611)</u>	<u>(\$2,225,611)</u>

18	FEDERAL EXPENDITURES FUND	2011-12	2012-13
19	All Other	(\$652,668)	(\$3,445,208)
20			
21	FEDERAL EXPENDITURES FUND TOTAL	<u>(\$652,668)</u>	<u>(\$3,445,208)</u>

22 **Medical Care - Payments to Providers 0147**

23 Initiative: Reduces funding by eliminating occupational therapy as an optional service in
24 the MaineCare program.

25	GENERAL FUND	2011-12	2012-13
26	All Other	(\$78,846)	(\$426,996)
27			
28	GENERAL FUND TOTAL	<u>(\$78,846)</u>	<u>(\$426,996)</u>

1	FEDERAL EXPENDITURES FUND	2011-12	2012-13
2	All Other	(\$124,966)	(\$659,650)
3			
4	FEDERAL EXPENDITURES FUND TOTAL	<u>(\$124,966)</u>	<u>(\$659,650)</u>

5 **Medical Care - Payments to Providers 0147**

6 Initiative: Reduces funding by eliminating vision services as an optional service in the
7 MaineCare program.

8	GENERAL FUND	2011-12	2012-13
9	All Other	(\$151,826)	(\$823,447)
10			
11	GENERAL FUND TOTAL	<u>(\$151,826)</u>	<u>(\$823,447)</u>

12	FEDERAL EXPENDITURES FUND	2011-12	2012-13
13	All Other	(\$250,663)	(\$1,323,161)
14			
15	FEDERAL EXPENDITURES FUND TOTAL	<u>(\$250,663)</u>	<u>(\$1,323,161)</u>

16 **Medical Care - Payments to Providers 0147**

17 Initiative: Reduces funding by eliminating physical therapy as an optional service in the
18 MaineCare program.

19	GENERAL FUND	2011-12	2012-13
20	All Other	(\$97,657)	(\$529,071)
21			
22	GENERAL FUND TOTAL	<u>(\$97,657)</u>	<u>(\$529,071)</u>

23	FEDERAL EXPENDITURES FUND	2011-12	2012-13
24	All Other	(\$158,352)	(\$835,885)
25			
26	FEDERAL EXPENDITURES FUND TOTAL	<u>(\$158,352)</u>	<u>(\$835,885)</u>

27 **Medical Care - Payments to Providers 0147**

28 Initiative: Reduces funding by eliminating podiatry services as an optional service in the
29 MaineCare program.

1	GENERAL FUND	2011-12	2012-13
2	All Other	(\$68,407)	(\$370,903)
3			
4	GENERAL FUND TOTAL	<u>(\$68,407)</u>	<u>(\$370,903)</u>

5	FEDERAL EXPENDITURES FUND	2011-12	2012-13
6	All Other	(\$110,904)	(\$585,423)
7			
8	FEDERAL EXPENDITURES FUND TOTAL	<u>(\$110,904)</u>	<u>(\$585,423)</u>

9 **Medical Care - Payments to Providers 0147**
10 Initiative: Reduces funding by eliminating private nonmedical institution services as an
11 optional service in the MaineCare program effective July 1, 2012.

12	GENERAL FUND	2011-12	2012-13
13	All Other	\$0	(\$47,637,039)
14			
15	GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$47,637,039)</u>

16	FEDERAL EXPENDITURES FUND	2011-12	2012-13
17	All Other	\$0	(\$104,043,080)
18			
19	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>(\$104,043,080)</u>

20	OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
21	All Other	(\$319,609)	(\$5,113,739)
22			
23	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$319,609)</u>	<u>(\$5,113,739)</u>

24 **Medical Care - Payments to Providers 0147**
25 Initiative: Reduces funding by eliminating sexually transmitted disease screening clinic
26 services as an optional service in the MaineCare program.

27	GENERAL FUND	2011-12	2012-13
28	All Other	(\$40,397)	(\$217,951)
29			
30	GENERAL FUND TOTAL	<u>(\$40,397)</u>	<u>(\$217,951)</u>

1	FEDERAL EXPENDITURES FUND	2011-12	2012-13
2	All Other	(\$45,771)	(\$241,610)
3			
4	FEDERAL EXPENDITURES FUND TOTAL	<u>(\$45,771)</u>	<u>(\$241,610)</u>

5 **Medical Care - Payments to Providers 0147**

6 Initiative: Reduces funding by eliminating chiropractic services as an optional service in
7 the MaineCare program.

8	GENERAL FUND	2011-12	2012-13
9	All Other	(\$69,199)	(\$375,344)
10			
11	GENERAL FUND TOTAL	<u>(\$69,199)</u>	<u>(\$375,344)</u>

12	FEDERAL EXPENDITURES FUND	2011-12	2012-13
13	All Other	(\$114,901)	(\$606,525)
14			
15	FEDERAL EXPENDITURES FUND TOTAL	<u>(\$114,901)</u>	<u>(\$606,525)</u>

16 **Medical Care - Payments to Providers 0147**

17 Initiative: Adjusts funding in fiscal year 2011-12 as a result of contributions from the
18 Dirigo Health Fund to provide MaineCare seed for the childless adult waiver.

19	GENERAL FUND	2011-12	2012-13
20	All Other	(\$10,000,000)	\$0
21			
22	GENERAL FUND TOTAL	<u>(\$10,000,000)</u>	<u>\$0</u>

23	OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
24	All Other	\$10,000,000	\$0
25			
26	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$10,000,000</u>	<u>\$0</u>

27 **Medical Care - Payments to Providers 0147**

28 Initiative: Reduces funding by reducing reimbursement for critical access hospitals from
29 109% to 105%.

1	GENERAL FUND	2011-12	2012-13
2	All Other	(\$290,834)	(\$1,179,804)
3			
4	GENERAL FUND TOTAL	<u>(\$290,834)</u>	<u>(\$1,179,804)</u>

5	FEDERAL EXPENDITURES FUND	2011-12	2012-13
6	All Other	(\$503,794)	(\$1,987,455)
7			
8	FEDERAL EXPENDITURES FUND TOTAL	<u>(\$503,794)</u>	<u>(\$1,987,455)</u>

9 **Medical Care - Payments to Providers 0147**

10 Initiative: Reduces funding by reducing the number of prescriptions for brand name drugs
11 for which reimbursement is allowed from 4 to 2 per month unless the prescription is
12 determined to be medically necessary.

13	GENERAL FUND	2011-12	2012-13
14	All Other	(\$1,168,120)	(\$5,840,598)
15			
16	GENERAL FUND TOTAL	<u>(\$1,168,120)</u>	<u>(\$5,840,598)</u>

17	FEDERAL EXPENDITURES FUND	2011-12	2012-13
18	All Other	(\$2,023,465)	(\$9,838,860)
19			
20	FEDERAL EXPENDITURES FUND TOTAL	<u>(\$2,023,465)</u>	<u>(\$9,838,860)</u>

21 **Medical Care - Payments to Providers 0147**

22 Initiative: Reduces funding by limiting reimbursement to 15 outpatient hospital visits per
23 year.

24	GENERAL FUND	2011-12	2012-13
25	All Other	(\$277,540)	(\$1,480,214)
26			
27	GENERAL FUND TOTAL	<u>(\$277,540)</u>	<u>(\$1,480,214)</u>

28	FEDERAL EXPENDITURES FUND	2011-12	2012-13
29	All Other	(\$480,766)	(\$2,493,515)
30			
31	FEDERAL EXPENDITURES FUND TOTAL	<u>(\$480,766)</u>	<u>(\$2,493,515)</u>

32 **Medical Care - Payments to Providers 0147**

1 Initiative: Reduces funding by limiting reimbursement for hospital admissions to 5 per
2 member per year.

3	GENERAL FUND	2011-12	2012-13
4	All Other	(\$91,890)	(\$490,081)
5			
6	GENERAL FUND TOTAL	<u>(\$91,890)</u>	<u>(\$490,081)</u>

7	FEDERAL EXPENDITURES FUND	2011-12	2012-13
8	All Other	(\$159,176)	(\$825,573)
9			
10	FEDERAL EXPENDITURES FUND TOTAL	<u>(\$159,176)</u>	<u>(\$825,573)</u>

11 **Medical Care - Payments to Providers 0147**

12 Initiative: Reduces funding by limiting the use of Suboxone for the treatment of opioid
13 dependency to coverage for a 2-year period.

14	GENERAL FUND	2011-12	2012-13
15	All Other	(\$147,563)	\$0
16			
17	GENERAL FUND TOTAL	<u>(\$147,563)</u>	<u>\$0</u>

18	FEDERAL EXPENDITURES FUND	2011-12	2012-13
19	All Other	(\$1,082,650)	\$0
20			
21	FEDERAL EXPENDITURES FUND TOTAL	<u>(\$1,082,650)</u>	<u>\$0</u>

22 **Medical Care - Payments to Providers 0147**

23 Initiative: Provides funding in the MaineCare and MaineCare-related accounts necessary
24 to make cycle payments through the remainder of the 2012-2013 biennium.

25	GENERAL FUND	2011-12	2012-13
26	All Other	\$91,805,960	\$38,142,642
27			
28	GENERAL FUND TOTAL	<u>\$91,805,960</u>	<u>\$38,142,642</u>

1	FEDERAL EXPENDITURES FUND	2011-12	2012-13
2	All Other	\$207,077,368	\$124,626,202
3			
4	FEDERAL EXPENDITURES FUND TOTAL	<u>\$207,077,368</u>	<u>\$124,626,202</u>

5 **Medical Care - Payments to Providers 0147**

6 Initiative: Reduces funding from the elimination of the childless adult waiver program.

7	GENERAL FUND	2011-12	2012-13
8	All Other	\$0	(\$22,000,000)
9			
10	GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$22,000,000)</u>

11	FEDERAL EXPENDITURES FUND	2011-12	2012-13
12	All Other	\$0	(\$37,060,403)
13			
14	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>(\$37,060,403)</u>

15 **Medical Care - Payments to Providers 0147**

16 Initiative: Adjusts funding for Medicaid services as a result of the decrease in the Federal
17 Medical Assistance Percentage.

18	GENERAL FUND	2011-12	2012-13
19	All Other	\$0	\$6,997,873
20			
21	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$6,997,873</u>

22	FEDERAL EXPENDITURES FUND	2011-12	2012-13
23	All Other	\$0	(\$10,382,324)
24			
25	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>(\$10,382,324)</u>

26 **Medical Care - Payments to Providers 0147**

27 Initiative: Reduces funding by eliminating the reimbursement for smoking cessation
28 products.

29	GENERAL FUND	2011-12	2012-13
30	All Other	(\$80,000)	(\$430,000)
31			

1 GENERAL FUND TOTAL (\$80,000) (\$430,000)

2 **FEDERAL EXPENDITURES FUND** **2011-12** **2012-13**
3 All Other (\$138,580) (\$724,363)
4
5 FEDERAL EXPENDITURES FUND TOTAL (\$138,580) (\$724,363)

6 **Medical Care - Payments to Providers 0147**

7 Initiative: Reduces funding for outpatient services at acute care hospitals by 5%, effective
8 July 1, 2012.

9 **GENERAL FUND** **2011-12** **2012-13**
10 All Other \$0 (\$3,180,269)
11
12 GENERAL FUND TOTAL \$0 (\$3,180,269)

13 **FEDERAL EXPENDITURES FUND** **2011-12** **2012-13**
14 All Other \$0 (\$5,357,366)
15
16 FEDERAL EXPENDITURES FUND TOTAL \$0 (\$5,357,366)

17 **Medical Care - Payments to Providers 0147**

18 Initiative: Reduces funding by reducing optional coverage for children who are
19 behaviorally challenged and who are in a residential setting.

20 **FEDERAL EXPENDITURES FUND** **2011-12** **2012-13**
21 All Other \$0 (\$842,282)
22
23 FEDERAL EXPENDITURES FUND TOTAL \$0 (\$842,282)

24 **Medical Care - Payments to Providers 0147**

25 Initiative: Reduces funding to reflect savings from payment reform in the Developmental
26 Services Waiver - MaineCare program.

27 **FEDERAL EXPENDITURES FUND** **2011-12** **2012-13**
28 All Other \$0 (\$5,053,691)
29
30 FEDERAL EXPENDITURES FUND TOTAL \$0 (\$5,053,691)

1 **Medical Care - Payments to Providers 0147**
 2 Initiative: Reduces funding by reducing reimbursement for hospital inpatient services by
 3 10%.

4	GENERAL FUND	2011-12	2012-13
5	All Other	(\$768,208)	(\$3,127,406)
6			
7	GENERAL FUND TOTAL	<u>(\$768,208)</u>	<u>(\$3,127,406)</u>

8	FEDERAL EXPENDITURES FUND	2011-12	2012-13
9	All Other	(\$2,098,929)	(\$5,268,314)
10			
11	FEDERAL EXPENDITURES FUND TOTAL	<u>(\$2,098,929)</u>	<u>(\$5,268,314)</u>

12 **Medical Care - Payments to Providers 0147**
 13 Initiative: Notwithstanding any provision of law, adjusts funding by increasing funding in
 14 the Medical Care - Payments to Providers program and reducing funding in the FHM -
 15 Medical Care program to reflect a redistribution of funding within the Fund for a Healthy
 16 Maine.

17	GENERAL FUND	2011-12	2012-13
18	All Other	(\$1,003,844)	(\$25,031,096)
19			
20	GENERAL FUND TOTAL	<u>(\$1,003,844)</u>	<u>(\$25,031,096)</u>

21 **MR/Elderly PNMI Room and Board Z009**
 22 Initiative: Reduces funding by eliminating adult family care as an optional service in the
 23 MaineCare program.

24	GENERAL FUND	2011-12	2012-13
25	All Other	(\$22,609)	(\$121,918)
26			
27	GENERAL FUND TOTAL	<u>(\$22,609)</u>	<u>(\$121,918)</u>

28 **MR/Elderly PNMI Room and Board Z009**
 29 Initiative: Reduces funding by eliminating occupational therapy as an optional service in
 30 the MaineCare program.

1	GENERAL FUND	2011-12	2012-13
2	All Other	(\$4,088)	(\$22,141)
3			
4	GENERAL FUND TOTAL	<u>(\$4,088)</u>	<u>(\$22,141)</u>
5	MR/Elderly PNMI Room and Board Z009		
6	Initiative: Reduces funding by eliminating physical therapy as an optional service in the		
7	MaineCare program.		
8	GENERAL FUND	2011-12	2012-13
9	All Other	(\$4,890)	(\$26,490)
10			
11	GENERAL FUND TOTAL	<u>(\$4,890)</u>	<u>(\$26,490)</u>
12	MR/Elderly PNMI Room and Board Z009		
13	Initiative: Reduces funding by eliminating optional coverage under the MaineCare		
14	program for individuals in the medically needy category.		
15	GENERAL FUND	2011-12	2012-13
16	All Other	(\$2,533,359)	(\$13,511,247)
17			
18	GENERAL FUND TOTAL	<u>(\$2,533,359)</u>	<u>(\$13,511,247)</u>
19	MR/Elderly PNMI Room and Board Z009		
20	Initiative: Provides funding in the MaineCare and MaineCare-related accounts necessary		
21	to make cycle payments through the remainder of the 2012-2013 biennium.		
22	GENERAL FUND	2011-12	2012-13
23	All Other	\$0	\$8,210,778
24			
25	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$8,210,778</u>
26	Nursing Facilities 0148		
27	Initiative: Reduces funding by eliminating occupational therapy as an optional service in		
28	the MaineCare program.		
29	GENERAL FUND	2011-12	2012-13
30	All Other	(\$7,516)	(\$40,706)
31			
32	GENERAL FUND TOTAL	<u>(\$7,516)</u>	<u>(\$40,706)</u>

1	FEDERAL EXPENDITURES FUND	2011-12	2012-13
2	All Other	(\$11,088)	(\$58,532)
3			
4	FEDERAL EXPENDITURES FUND TOTAL	<u>(\$11,088)</u>	<u>(\$58,532)</u>

5 **Nursing Facilities 0148**

6 Initiative: Reduces funding by eliminating physical therapy as an optional service in the
7 MaineCare program.

8	GENERAL FUND	2011-12	2012-13
9	All Other	(\$9,087)	(\$49,230)
10			
11	GENERAL FUND TOTAL	<u>(\$9,087)</u>	<u>(\$49,230)</u>

12	FEDERAL EXPENDITURES FUND	2011-12	2012-13
13	All Other	(\$13,732)	(\$72,488)
14			
15	FEDERAL EXPENDITURES FUND TOTAL	<u>(\$13,732)</u>	<u>(\$72,488)</u>

16 **Nursing Facilities 0148**

17 Initiative: Provides funding in the MaineCare and MaineCare-related accounts necessary
18 to make cycle payments through the remainder of the 2012-2013 biennium.

19	GENERAL FUND	2011-12	2012-13
20	All Other	\$0	\$7,036,142
21			
22	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$7,036,142</u>

23	FEDERAL EXPENDITURES FUND	2011-12	2012-13
24	All Other	\$0	\$11,852,830
25			
26	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$11,852,830</u>

27 **Nursing Facilities 0148**

28 Initiative: Adjusts funding for Medicaid services as a result of the decrease in the Federal
29 Medical Assistance Percentage.

1	GENERAL FUND	2011-12	2012-13
2	All Other	\$0	\$1,538,014
3			
4	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$1,538,014</u>

5	FEDERAL EXPENDITURES FUND	2011-12	2012-13
6	All Other	\$0	(\$1,538,014)
7			
8	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>(\$1,538,014)</u>

9 **State-funded Foster Care/Adoption Assistance 0139**
10 Initiative: Eliminates funding for the supplemental services for children with complex
11 emotional and behavioral needs.

12	GENERAL FUND	2011-12	2012-13
13	All Other	\$0	(\$1,999,984)
14			
15	GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$1,999,984)</u>

16 **State-funded Foster Care/Adoption Assistance 0139**
17 Initiative: Reduces funding by reducing contracts in the family reunification program.

18	GENERAL FUND	2011-12	2012-13
19	All Other	\$0	(\$1,007,112)
20			
21	GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$1,007,112)</u>

22 **State-funded Foster Care/Adoption Assistance 0139**
23 Initiative: Reduces funding by reducing contracts in the alternative response program.

24	GENERAL FUND	2011-12	2012-13
25	All Other	\$0	(\$1,290,000)
26			
27	GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$1,290,000)</u>

28	HEALTH AND HUMAN SERVICES,		
29	DEPARTMENT OF (FORMERLY DHS)		
30	DEPARTMENT TOTALS	2011-12	2012-13
31			

1	GENERAL FUND	\$65,008,940	(\$100,989,688)
2	FEDERAL EXPENDITURES FUND	\$189,638,913	(\$106,792,941)
3	FUND FOR A HEALTHY MAINE	\$0	(\$4,386,990)
4	OTHER SPECIAL REVENUE FUNDS	\$8,994,064	(\$12,171,248)
5			
6	DEPARTMENT TOTAL - ALL FUNDS	\$263,641,917	(\$224,340,867)

7	SECTION TOTALS	2011-12	2012-13
8			
9	GENERAL FUND	\$78,549,750	(\$102,223,049)
10	FEDERAL EXPENDITURES FUND	\$189,638,913	(\$106,792,941)
11	FUND FOR A HEALTHY MAINE	\$0	(\$4,369,014)
12	OTHER SPECIAL REVENUE FUNDS	\$8,994,064	(\$12,910,525)
13	FEDERAL BLOCK GRANT FUND	\$0	(\$91,369)
14			
15	SECTION TOTAL - ALL FUNDS	\$277,182,727	(\$226,386,898)

16 **PART B**

17 **Sec. B-1. 22 MRSA §3173-A**, as reallocated by PL 1979, c. 127, §145 and
 18 amended by PL 2003, c. 689, Pt. B, §6, is repealed.

19 **PART C**

20 **Sec. C-1. 22 MRSA §3173-C, sub-§7**, as amended by PL 2009, c. 415, Pt. A,
 21 §12, is further amended to read:

22 **7. Copayments.** Notwithstanding any other provision of law, the following
 23 copayments per service per day are imposed and reimbursements are reduced, or both, to
 24 the following levels:

- 25 A. Outpatient hospital services, \$3;
- 26 B. Home health services, \$3;
- 27 C. Durable medical equipment services, \$3;
- 28 D. Private duty nursing and personal care services, \$5 per month;
- 29 E. Ambulance services, \$3;
- 30 ~~F. Physical therapy services, \$2;~~
- 31 ~~G. Occupational therapy services, \$2;~~
- 32 ~~H. Speech therapy services, \$2;~~
- 33 ~~I. Podiatry services, \$2;~~
- 34 J. Psychologist services, \$2;

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PART G

Sec. G-1. 22 MRSA §254-D, as amended by PL 2007, c. 240, Pt. RR, §1, is repealed.

Sec. G-2. 22 MRSA §258, sub-§1, ¶A, as amended by PL 2005, c. 401, Pt. C, §2, is repealed.

Sec. G-3. 22 MRSA §258, sub-§§3 to 5, as enacted by PL 2001, c. 293, §5, are amended to read:

3. Administration; components. The department shall administer the prescription program. ~~The elderly low cost drug program is a component of the prescription program.~~

4. Benefit eligibility. Benefits are subject to the following provisions.

~~A. An individual enrolled in both the elderly low cost drug program and the prescription program is eligible for the more generous discount authorized under either program in the event overlapping benefits exist.~~

~~B. If a drug rebate is paid for any prescription under the prescription program, a rebate is not due under the elderly low cost drug program.~~

C. The department shall issue a single certificate for eligibility to an individual who is eligible for both the benefit under the elderly low cost drug program and the benefit under the prescription program.

5. Copayments. Notwithstanding section 3173-C, a beneficiary of the prescription program shall make the copayments authorized under the prescription program ~~and the elderly low cost drug program.~~

Sec. G-4. 22 MRSA §1711-E, sub-§4, ¶C, as enacted by PL 2007, c. 460, §1, is amended to read:

C. The department shall assess an annual fee payable by October 1st each year beginning in 2007 on manufacturers of prescription drugs whose drugs are dispensed to members of the MaineCare program under chapter 855 ~~and enrollees in the elderly low cost drug program under section 254-D~~. Eighty percent of the fees collected under this paragraph must be deposited in a separate account that does not lapse at the end of the fiscal year and must be used to cover the costs of the Maine Health Data Organization pursuant to paragraph A and section 8713. Twenty percent of the assessments must be retained by the department.

Sec. G-5. 22 MRSA §2681, sub-§3, as amended by PL 2005, c. 401, Pt. C, §3, is further amended to read:

3. Rebate agreement. A drug manufacturer or labeler that sells prescription drugs in this State through ~~the elderly low cost drug program under section 254-D~~ or any other publicly supported pharmaceutical assistance program shall enter into a rebate agreement with the department for this program. The rebate agreement must require the

1 manufacturer or labeler to make rebate payments to the State each calendar quarter or
2 according to a schedule established by the department.

3 **Sec. G-6. 22 MRSA §2681, sub-§9**, as amended by PL 2005, c. 401, Pt. C, §4, is
4 further amended to read:

5 **9. Dedicated fund.** The Maine Rx Plus Dedicated Fund, referred to in this section
6 as the "fund," is established to receive revenue from manufacturers and labelers who pay
7 rebates as provided in subsection 4 and any appropriations or allocations designated for
8 the fund. The purposes of the fund are to reimburse retail pharmacies for discounted
9 prices provided to qualified residents pursuant to subsection 5; and to reimburse the
10 department for contracted services including pharmacy claims processing fees,
11 administrative and associated computer costs and other reasonable program costs; ~~and to~~
12 ~~benefit the elderly low cost drug program under section 254-D.~~ The fund is a nonlapsing
13 dedicated fund. Interest on fund balances accrues to the fund. Surplus funds in the fund
14 must be used for the benefit of the program. ~~Notwithstanding Title 5, section 1585,~~
15 ~~surplus funds may also be transferred to the elderly low cost drug program established~~
16 ~~under section 254-D.~~

17 **Sec. G-7. 22 MRSA §2685, sub-§2, ¶E**, as enacted by PL 2007, c. 327, §1, is
18 repealed.

19 **Sec. G-8. 22 MRSA §2685, sub-§4**, as enacted by PL 2007, c. 327, §1, is
20 amended to read:

21 **4. Program coverage.** The program must provide outreach and education to
22 prescribers and dispensers who participate in, contract with or are reimbursed by state-
23 funded health care programs, including but not limited to the MaineCare program, the
24 Maine Rx Plus Program, Dirigo Health insurance, ~~the elderly low cost drug program~~ and
25 the state employee health insurance program. The program may provide outreach and
26 education to carriers, health plans, hospitals, employers and other persons interested in
27 the program on a subscription or fee-paying basis under rules adopted by the department.

28 **Sec. G-9. 22 MRSA §2685, sub-§5**, as amended by PL 2011, c. 461, §2, is
29 further amended to read:

30 **5. Funding.** The program may be funded from the General Fund, from federal funds
31 and from other special revenue funds. Beginning April 1, 2012 each manufacturer of
32 prescription drugs that are provided to Maine residents through the MaineCare program
33 ~~or the elderly low cost drug program~~ shall pay a fee of \$500 per calendar year to the
34 department to provide funding for the program. The program may accept funds from
35 nongovernmental health access foundations, the Tobacco Manufacturers Act under
36 chapter 263, subchapter 3, undesignated funds associated with pharmaceutical marketing
37 and pricing practices acquired through litigation or action of the Office of the Attorney
38 General and fees from subscriptions, contracts and agreements with private payors as
39 established by rule. Savings achieved as a result of the program may be retained for
40 operation of the program or paid into the General Fund, at the option of the department.

1 If the department takes action to eliminate or modify a service under this subsection, it
2 shall provide notice of the rule-making proceedings to members of the Legislature.

3 **PART I**

4 **Sec. I-1. 22 MRSA §3174-FF**, as amended by PL 2007, c. 71, §1, is repealed.

5 **PART J**

6 **Sec. J-1. 22 MRSA §3174-HH**, as enacted by PL 2005, c. 401, Pt. B, §1, is
7 repealed.

8 **PART K**

9 **Sec. K-1. 22 MRSA §3174-RR, sub-§1**, as reallocated by RR 2011, c. 1, §32, is
10 amended to read:

11 **1. Reimbursement.** By October 1, 2012, the department shall provide for the
12 reimbursement under the MaineCare program of independent practice dental hygienists
13 practicing as authorized under Title 32, section 1094-I only for members 21 years of age
14 or younger for the following procedures:

- 15 A. Prophylaxis ~~performed on a person who is 21 years of age or younger~~;
- 16 B. Topical application of fluoride ~~performed on a person who is 21 years of age or~~
17 ~~younger~~;
- 18 C. Provision of oral hygiene instructions;
- 19 D. The application of sealants;
- 20 E. Temporary fillings; and
- 21 F. X-rays.

22 Reimbursement must be provided to independent practice dental hygienists directly or to
23 a federally qualified health center pursuant to section 3174-V when an independent
24 practice dental hygienist is employed as a core provider at the center.

25 **PART L**

26 **Sec. L-1. Emergency rule-making authority; health and human services**
27 **matters.** The Department of Health and Human Services is authorized to adopt
28 emergency rules on or before June 30, 2013 under the Maine Revised Statutes, Title 5,
29 sections 8054 and 8073 in order to implement those provisions of this Act over which the
30 department has subject matter jurisdiction for which specific authority has not been
31 provided in any other part of this Act. Notwithstanding Title 5, section 8054, subsections
32 1 and 2, the Department of Health and Human Services is not required to find that
33 immediate adoption is necessary to avoid a threat to public health, safety or general
34 welfare.

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PART M

Sec. M-1. 22 MRSA §1714-B, as amended by PL 2009, c. 213, Pt. CC, §1, is further amended to read:

§1714-B. Critical access hospital reimbursement

For state fiscal years beginning on or after July 1, 2005 through June 30, 2009, the department shall reimburse licensed critical access hospitals at 117% of MaineCare allowable costs for both inpatient and outpatient services provided to patients covered by the MaineCare program. For state fiscal years beginning on or after July 1, 2009, for each critical access hospital fiscal year up to but not including the hospital fiscal year beginning on or after April 1, 2011, the department shall reimburse licensed critical access hospitals at ~~109%~~ 105% of MaineCare allowable costs for both inpatient and outpatient services provided to patients covered by the MaineCare program. Of the total allocated from hospital tax revenues under Title 36, chapter 375, \$1,000,000 in state and federal funds must be distributed annually among critical access hospitals for staff enhancement payments. ~~This section is repealed April 1, 2012.~~

Sec. M-2. 22 MRSA §3174-NN, as enacted by PL 2009, c. 213, Pt. CC, §5, is repealed.

Sec. M-3. 22 MRSA §3174-OO, as enacted by PL 2009, c. 213, Pt. CC, §6, is repealed.

PART N

Sec. N-1. 8 MRSA §1036, sub-§2, ¶E, as amended by PL 2011, c. 380, Pt. II, §1, is further amended to read:

E. Ten percent of the net slot machine income must be forwarded by the board to the State Controller ~~to be~~ and except as otherwise provided in this paragraph credited to the Fund for a Healthy Maine established by Title 22, section 1511 and segregated into a separate account under Title 22, section 1511, subsection 11, with the use of funds in the account restricted to the purposes described in Title 22, section 1511, subsection 6, paragraph E. For the fiscal years ending June 30, 2010, June 30, 2011, and June 30, 2012 ~~and June 30, 2013~~, the amount credited annually by the State Controller to the Fund for a Healthy Maine under this paragraph may not exceed \$4,500,000 annually and any funds in excess of \$4,500,000 annually during these fiscal years must be credited as General Fund undedicated revenue, and, for the fiscal year ending June 30, 2013, the amount credited by the State Controller to the Fund for a Healthy Maine under this paragraph is \$0;

PART O

Sec. O-1. Lapse available balance. Notwithstanding any other provision of law, at the close of fiscal year 2011-12, the State Controller shall lapse \$5,000,000 from the Bureau of Medical Services account within the Department of Health and Human Services to the unappropriated surplus of the General Fund.

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PART P

Sec. P-1. PL 2011, c. 380, Pt. JJJ, §1 is amended to read:

Sec. JJJ-1. Transfer from Other Special Revenue Funds to unappropriated surplus of the General Fund. Notwithstanding any other provision of law, the State Controller shall transfer ~~\$43,000,000~~ \$102,000,000 on June 30, 2012 from Other Special Revenue Funds to the unappropriated surplus of the General Fund. On July 1, 2012, the State Controller shall transfer ~~\$43,000,000~~ \$102,000,000 from the General Fund unappropriated surplus to Other Special Revenue Funds as repayment. This transfer is considered an interfund advance.

PART Q

Sec. Q-1. Transfer from unappropriated surplus; Maine Budget Stabilization Fund. Notwithstanding any other provision of law, the State Controller shall transfer \$39,500,000 during fiscal year 2012-13 from the General Fund unappropriated surplus to the Maine Budget Stabilization Fund within the Department of Administrative and Financial Services in order to ensure that funds will be available to fund necessary services through the Department of Health and Human Services for the State's most vulnerable citizens.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved, except as otherwise indicated.

SUMMARY

PART A

This Part makes appropriations and allocations.

PART B

This Part repeals the requirement that MaineCare cover optional services under the MaineCare program for adults for physical and occupational therapy services provided to residents of intermediate care or skilled nursing facilities.

PART C

This Part repeals provisions requiring copayments from MaineCare members for physical therapy services, occupational therapy services, speech therapy services, podiatry services, chiropractic services, optical services and optometric services. These services are proposed for elimination from the MaineCare program subject to federal guidelines and approval.

PART D

1 This Part repeals the requirement that the Department of Health and Human Services
2 administer a program of medical coverage for persons residing in cost reimbursement
3 boarding homes effective July 1, 2012.

4 **PART E**

5 This Part repeals the requirement that the MaineCare program provide coverage for
6 adult dental services as a service to Medicaid-eligible people.

7 **PART F**

8 This Part does the following.

9 1. It reduces eligibility for Medicaid services of a parent or caretaker relative of an
10 eligible child from a maximum income of 200% of the nonfarm income official poverty
11 line to the minimum federal requirement of no less than standard of need for Aid to
12 Families with Dependent Children as of 1996, which is approximately 51% of the
13 nonfarm income official poverty line.

14 2. It eliminates medical coverage for childless adults from 20 to 64 years of age.

15 **PART G**

16 This Part does the following.

17 1. It repeals the elderly low-cost drug program.

18 2. It repeals the requirement that the Department of Health and Human Services
19 apply for a federal waiver to use federal matching dollars to enhance the elderly low-cost
20 drug program.

21 3. It repeals the restriction on the use of a resource test by the Department of Health
22 and Human Services for children and pregnant women eligible for Medicaid coverage.

23 **PART H**

24 This Part authorizes the Department of Health and Human Services to make changes
25 to MaineCare service provisions if necessary to comply with state balanced budget
26 provisions.

27 **PART I**

28 This Part repeals the MaineCare Basic program.

29 **PART J**

30 This Part repeals the provision authorizing the Department of Health and Human
31 Services to provide prescription drug services for MaineCare members through the
32 elderly low-cost drug program.

33 **PART K**

1 This Part eliminates the requirement that the MaineCare program cover optional
2 dental services provided by independent practice dental hygienists to persons who are
3 older than 21 years of age.

4 **PART L**

5 This Part gives the Department of Health and Human Services the authority to adopt
6 emergency rules to implement any provisions of this legislation over which it has specific
7 authority that has not been addressed by some other part of this legislation.

8 **PART M**

9 This Part does the following.

10 1. It reduces the reimbursement rate for critical access hospitals from 109% to 105%
11 of MaineCare allowable costs and strikes the provision that repeals, effective April 1,
12 2012, the section that establishes this reimbursement rate.

13 2. It repeals the provision that requires the Department of Health and Human
14 Services to phase in a system to reimburse critical access hospitals for inpatient services
15 under the MaineCare program based on diagnosis-related groupings.

16 3. It repeals the provision that requires the Department of Health and Human
17 Services to phase in a system to reimburse critical access hospitals for outpatient services
18 under the MaineCare program based on ambulatory payment classifications.

19 **PART N**

20 This Part eliminates the transfer of up to \$4,500,000 of slot machine income to the
21 Fund for a Healthy Maine for the fiscal year ending June 30, 2013.

22 **PART O**

23 This Part lapses \$5,000,000 from the Bureau of Medical Services account within the
24 Department of Health and Human Services to the unappropriated surplus of the General
25 Fund at the end of fiscal year 2011-12.

26 **PART P**

27 This Part increases the interfund advance from Other Special Revenue Funds to the
28 General Fund unappropriated surplus required for one day at the end of fiscal year 2011-
29 12 from \$43,000,000 to \$102,000,000.

30 **PART Q**

31 This Part transfers \$39,500,000 from the General Fund unappropriated surplus to the
32 Maine Budget Stabilization Fund during fiscal year 2012-13 in order to ensure funds will
33 be available to fund services through the Department of Health and Human Services for
34 the State's most vulnerable citizens.