

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND AND FIFTEEN

H.P. 57 - L.D. 63

**Resolve, To Require the Department of Health and Human Services To
Provide Supplemental Reimbursement to Adult Family Care Homes and
Residential Care Facilities in Remote Island Locations**

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

Whereas, residents of adult family care homes and residential care facilities in remote island locations should be allowed to age in place with familiar caregivers; and

Whereas, current MaineCare reimbursement to adult family care homes and residential care facilities in remote island locations does not take into account higher prices on islands compared to the mainland; and

Whereas, this legislation must take effect before the expiration of the 90-day period in order to preserve existing caregiver arrangements; 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. Department of Health and Human Services to amend rules.

Resolved: That, by October 1, 2015, the Department of Health and Human Services shall amend its rules in Chapter 101, MaineCare Benefits Manual, Chapter II, Section 2; Chapter III, Section 2; and Chapter III, Section 97, Appendix C and in Chapter 115, Principles of Reimbursement for Residential Care Facilities - Room and Board Costs in order to provide supplemental MaineCare reimbursement to both adult family care homes and residential care facilities in remote island locations. The rules must provide that eligible remote island adult family care homes and residential care facilities are those located on an island not connected to the mainland by a bridge. The rules must provide eligible homes and facilities with a supplemental payment of 15% to be added to their MaineCare rate. Eligible homes and facilities must be allowed to retain this supplemental payment in addition to the total allowable rate for private nonmedical institution direct

care services, room and board and personal care services costs otherwise determined under those rules. The Department of Health and Human Services is authorized to adopt emergency rules under the Maine Revised Statutes, Title 5, section 8054 as necessary to implement this section without the necessity of demonstrating that immediate adoption is necessary to avoid a threat to public health, safety or general welfare; and be it further

Sec. 2. Medicaid state plan amendment. Resolved: That the Department of Health and Human Services shall prepare and submit a Medicaid state plan amendment to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services that provides for supplemental reimbursement to adult family care homes and residential care facilities in remote island locations pursuant to section 1; and be it further

Sec. 3. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)

Medical Care - Payments to Providers 0147

Initiative: Allocates the service provider tax received due to the 15% supplemental MaineCare reimbursement for both adult family care services and private nonmedical institution services in remote island locations and deappropriates a corresponding amount from the General Fund.

GENERAL FUND	2015-16	2016-17
All Other	(\$2,240)	(\$3,361)
GENERAL FUND TOTAL	<u>(\$2,240)</u>	<u>(\$3,361)</u>
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$2,240	\$3,361
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$2,240</u>	<u>\$3,361</u>

Medical Care - Payments to Providers 0147

Initiative: Appropriates funds and allocates federal matching money to the Department of Health and Human Services to increase MaineCare reimbursement by an additional 15% to adult family care homes and residential care facilities in remote island locations.

GENERAL FUND	2015-16	2016-17
All Other	\$14,922	\$22,382
GENERAL FUND TOTAL	<u>\$14,922</u>	<u>\$22,382</u>

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$25,051	\$37,576
FEDERAL EXPENDITURES FUND TOTAL	\$25,051	\$37,576

PNMI Room and Board Z009

Initiative: Provides funds to the Department of Health and Human Services to increase MaineCare reimbursement by an additional 15% to adult family care homes and residential care facilities in remote island locations.

GENERAL FUND	2015-16	2016-17
All Other	\$4,837	\$7,256
GENERAL FUND TOTAL	\$4,837	\$7,256

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

	2015-16	2016-17
GENERAL FUND	\$17,519	\$26,277
FEDERAL EXPENDITURES FUND	\$25,051	\$37,576
OTHER SPECIAL REVENUE FUNDS	\$2,240	\$3,361
DEPARTMENT TOTAL - ALL FUNDS	\$44,809	\$67,214

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