1	L.D. 346
2	Date: (Filing No. H-)
3	HEALTH AND HUMAN SERVICES
4	Reproduced and distributed under the direction of the Clerk of the House.
5	STATE OF MAINE
6	HOUSE OF REPRESENTATIVES
7	131ST LEGISLATURE
8	FIRST SPECIAL SESSION
9 10	COMMITTEE AMENDMENT " to H.P. 220, L.D. 346, "An Act to Clarify the Requirements for Family Caregivers"
11	Amend the bill by striking out the title and substituting the following:
12	'An Act to Reimburse Family Caregivers'
13 14	Amend the bill by striking out everything after the enacting clause and inserting the following:
15	'Sec. 1. 22 MRSA §2149-B is enacted to read:
16	§2149-B. Home health aide services to minors
17 18 19 20 21	Notwithstanding section 2147, subsection 2, a parent of a child who is eligible for home health aide services under the MaineCare program may receive reimbursement for providing those services to the child pursuant to this section and according to department rule. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.
22 23 24 25 26 27	Sec. 2. State plan amendment. No later than July 1, 2024, the Department of Health and Human Services shall apply to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services for a state plan amendment to allow for qualifying parents of children and youth with in-home personal care needs who are eligible for the MaineCare program to be reimbursed for providing home health aide services under the Medicaid home health benefit.
28 29 30 31 32 33	Sec. 3. Rulemaking. The Department of Health and Human Services shall amend its rule Chapter 101: MaineCare Benefits Manual, Section 40, Home Health Services, to implement the Maine Revised Statutes, Title 22, section 2149-B, no later than 12 months after receiving approval of the state plan amendment submitted pursuant to section 2. The department shall seek input from stakeholders including home health agencies when developing the rule.

- **Sec. 4. Interim report.** The Department of Health and Human Services shall submit a report to the Joint Standing Committee on Health and Human Services on its progress in implementing the provisions of this Act no later than February 1, 2024.
- **Sec. 5. Appropriations and allocations.** The following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF

Medical Care - Payments to Providers 0147

Initiative: Provides funding for a parent of a child who is eligible for home health aide services under the MaineCare program to receive reimbursement for providing those services to the child.

GENERAL FUND All Other	2023-24 \$0	2024-25 \$54,902
GENERAL FUND TOTAL	\$0	\$54,902
FEDERAL EXPENDITURES FUND All Other	2023-24 \$0	2024-25 \$91,933
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$91.933

Sec. 6. Contingent effective date. That section of this Act that enacts the Maine Revised Statutes, Title 22, section 2149-B takes effect only if the necessary approval pursuant to section 2 is received and rules are adopted pursuant to section 3. The Commissioner of Health and Human Services shall notify the Secretary of State, the Secretary of the Senate, the Clerk of the House of Representatives and the Revisor of Statutes when approval sought under section 2 is received and rules under section 3 are completed.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

29 SUMMARY

This amendment replaces the bill, which is a concept draft, and changes the title. It requires the Department of Health and Human Services to submit a state plan amendment to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to request approval to reimburse parents of minor children who are eligible for home health aide services under the MaineCare program for providing those services under the Medicaid home health benefit. Upon approval, the department must amend its rule Chapter 101: MaineCare Benefits Manual, Section 40, Home Health Services, to implement the requirement no later than 12 months after receiving federal approval. The department must consult with home health agencies when developing the rule. The amendment requires the Department of Health and Human Services to submit a

COMMITTEE AMENDMENT " to H.P. 220, L.D. 346

1 2	progress report to the Joint Standing Committee on Health and Human Services no later than February 1, 2024.
3	FISCAL NOTE REQUIRED
4	(See attached)

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COMMITTEE AMENDMENT