

# MAINE STATE LEGISLATURE

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# 125th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2012

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Legislative Document

No. 1816

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H.P. 1339

House of Representatives, February 13, 2012

**An Act To Implement the Recommendations of the Streamline and Prioritize Core Government Services Task Force for the Fiscal Years Ending June 30, 2012 and June 30, 2013 and To Make Certain Other Allocations and Appropriations and Changes to the Law Necessary to the Operation of State Government**

(EMERGENCY)

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Reported by Representative FLOOD of Winthrop for the Joint Standing Committee on Appropriations and Financial Affairs pursuant to Public Law 2011, chapter 380, Part KKK, section 6.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Clerk

1 Legislature, General Fund account in the Legislature lapses to the General Fund in fiscal  
2 year 2011-12.

3 **Sec. V-2. Lapsed balances; Law and Legislative Reference Library,**  
4 **General Fund account.** Notwithstanding any other provision of law, \$12,425 of  
5 unencumbered balance forward in the Personal Services line category in the Law and  
6 Legislative Reference Library, General Fund account in the Law and Legislative  
7 Reference Library lapses to the General Fund in fiscal year 2011-12.

8 **PART W**

9 **Sec. W-1. Adult developmental services working group.** The Commissioner  
10 of Health and Human Services shall convene a working group to develop plans to address  
11 the need for efficiencies and savings in adult developmental services. The commissioner  
12 shall invite the participation of individuals who represent parents, self-advocates,  
13 advocacy organizations representing consumers of services and organizations  
14 representing service providers. The working group shall make recommendations to the  
15 commissioner regarding the following in relation to the Department of Health and Human  
16 Services:

- 17 1. Developing ongoing efficiencies in administrative policies and practices;
- 18 2. Increasing the use of technology to create further efficiencies in service delivery;
- 19 3. Expanding the use of resource allocation processes to reduce the overuse of  
20 services;
- 21 4. Exploring changes in waivers to create incentives for the reduction of paid support  
22 staff;
- 23 5. Resolving outstanding issues regarding the employment classification of host  
24 families within the shared living service model;
- 25 6. Amending the so-called Section 29 Supports Waiver of the MaineCare Benefits  
26 Manual to increase flexibility and enhance family supports to allow families to keep their  
27 adult children at home longer; and
- 28 7. Reviewing the standardized rate system methodology using an assessment tool  
29 developed by the department incorporating the support intensity scale developed by the  
30 American Association on Intellectual and Developmental Disabilities to determine if  
31 there are, or have been, any unanticipated effects on the community support system.

32 The commissioner shall provide to the joint standing committee of the Legislature  
33 having jurisdiction over appropriations and financial affairs and the joint standing  
34 committee of the Legislature having jurisdiction over health and human services matters  
35 progress reports on September 1, 2012, January 1, 2013 and April 1, 2013 and a report  
36 containing the working group's final recommendations on July 1, 2013. The  
37 commissioner shall consider the working group's recommendations and the need to  
38 provide services to persons on waiting lists for adult developmental services when  
39 developing the 2014-2015 biennial budget submission.

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**PART X**

**Sec. X-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% 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.~~

Beginning April 1, 2012, the department shall reimburse licensed critical access hospitals at 105% of MaineCare allowable costs for both inpatient and outpatient services provided to patients covered by the MaineCare program.

**Sec. X-2. 22 MRSA §1714-C**, as enacted by PL 2009, c. 213, Pt. CC, §2, is repealed.

**Sec. X-3. 22 MRSA §3174-NN**, as enacted by PL 2009, c. 213, Pt. CC, §5, is repealed.

**Sec. X-4. 22 MRSA §3174-OO**, as enacted by PL 2009, c. 213, Pt. CC, §6, is repealed.

**Sec. X-5. Rules for hospital reimbursement.** By April 1, 2012, the Department of Health and Human Services shall adopt rules to implement hospital reimbursement under this Part. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

**PART Y**

**Sec. Y-1. Transfer from Dirigo Health Fund to Other Special Revenue Funds.** Notwithstanding any other provision of law, the State Controller shall transfer \$10,472,800 on or before June 30, 2012 from the Dirigo Health Fund to the Medical Care - Payments to Providers, Other Special Revenue Funds account in the Department of Health and Human Services, of which \$10,000,000 must be used for the MaineCare seed for the childless adult waiver and \$472,800 must be used for the MaineCare seed for Cub Care children in families with incomes greater than or equal to 150% but less than 200% of the nonfarm income official poverty line.