

**128th MAINE LEGISLATURE****LD 925****LR 1296(03)****An Act Making Certain Appropriations and Allocations and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government****Fiscal Note for Bill as Engrossed with:****C "A" (H-791)****Committee: Appropriations and Financial Affairs****Fiscal Note**

Legislative Cost/Study

	FY 2017-18	FY 2018-19	Projections FY 2019-20	Projections FY 2020-21
Net Cost (Savings)				
General Fund	\$0	\$37,019,197	\$51,638,173	\$61,929,622
Fund for a Healthy Maine	\$0	\$4,600,000	\$0	\$0
Appropriations/Allocations				
General Fund	\$0	\$37,019,197	\$51,638,173	\$61,929,622
Federal Expenditures Fund	\$0	\$51,139,503	\$87,559,826	\$100,366,108
Fund for a Healthy Maine	\$0	\$4,600,000	\$0	\$0
Other Special Revenue Funds	\$0	\$3,828,229	\$6,961,854	\$8,163,823
Revenue				
Federal Expenditures Fund	\$0	\$51,139,503	\$87,559,826	\$100,366,108
Other Special Revenue Funds	\$0	\$3,828,229	\$6,961,854	\$8,163,823

Correctional and Judicial Impact Statements

Part F of the bill increases the class of a crime from Class B to Class A; increases correctional costs.

The collection of additional fines may also increase General Fund revenue by minor amounts.

Legislative Cost/Study

The general operating expenses of the study required in Part B of the bill are projected to be \$2,750 in fiscal year 2018-19. The general operating expenses of the study required in Part L of the bill are projected to be \$7,250 in fiscal year 2018-19. The Legislature's budget includes approximately \$10,000 in fiscal year 2018-19 for legislative studies. Whether this amount is sufficient to fund all studies will depend on the number of studies authorized by the Legislative Council and the Legislature.

Fiscal Detail and Notes

Part A of the bill includes General Fund appropriations to the Department of Health and Human Services of \$5,158,782 in fiscal year 2018-19 to begin serving 50 additional members each month, beginning October 1, 2018, from the waiting list for community-based services provided under the MaineCare Benefits Manual, Chapters II and III, Section 21 relating to home and community benefits for members with intellectual disabilities or autistic disorder until a total of 300 new members have been added. Federal Expenditures Fund allocations are also included for the FMAP match and Other Special Revenue Funds allocations are also included for the service provider tax.

Part B of the bill includes General Fund appropriations to the Department of Health and Human Services of \$11,100,000 in fiscal year 2018-19 for an increase to rates for certain services. Federal Expenditures Fund allocations are also included for the FMAP match and Other Special Revenue Funds allocations for the healthcare provider tax and the service provider tax.

Additional costs to the Department of Labor related to the Commissioner or the commissioner's designee participating on the commission can be absorbed within existing budgeted resources.

Part C of the bill includes General Fund appropriations of \$2,273,686 to the Department of Health and Human Services (DHHS) and \$568,421 to the General Purpose Aid for Local Schools program within the Department of Education in fiscal year 2018-19 to establish reimbursement rates and increase existing reimbursement rates in the Department of Health and Human Services rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 28 for children's habilitative services and specialized children's habilitative services in accordance with the April 24, 2017 report "Rate Study for Behavioral Health and Targeted Case Management Services: Final Proposed Rates for Formal Rulemaking" prepared for the department by Burns & Associates, Inc. Federal Expenditures Fund allocations are also included for the FMAP match and Other Special Revenue Funds allocations for the service provider tax.

Part D of the bill includes General Fund appropriations to the Department of Health and Human Services of \$6,053,198 in fiscal year 2018-19 to increase certain reimbursement rates by July 1, 2018 to reflect a 2% increase over rates in fiscal year 2008-09. Federal Expenditures Fund allocations are also included for the FMAP match and Other Special Revenue Funds allocations for the service provider tax.

Part E of the bill includes General Fund appropriations to the Department of Health and Human Services of \$568,004 in fiscal year 2018-19 for a 15% rate increase for the medication management services provided under rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 65: Behavioral Health Services. Federal Expenditures Fund allocations are also included for the FMAP match.

Part F of the bill includes a General Fund appropriation of \$11,000 in fiscal year 2018-19 for the Maine Commission on Indigent Legal Services to support the anticipated increase in costs resulting from additional prosecutions involving death or serious bodily injury to a person.

Part G of the bill includes an ongoing General Fund appropriation to the Department of Health and Human Services of \$6,663,000 beginning in fiscal year 2018-19 to hubs and spokes to cover costs of intensive, intermediate and long-term treatment, including, but not limited to, the cost of medication, screening, behavioral health treatment, urine drug screens, office visits and recovery support services for individuals with opioid use disorder, including those who are uninsured. The department may use a portion of these funds to support training and education of hubs and spokes.

Part H of the bill includes a one-time General Fund appropriation to the Department of Health and Human Services of \$500,000 in fiscal year 2018-19 for increased funding over current levels for the provision of assisted living services.

Part I of the bill includes one-time General Fund appropriations to the Department of Health and Human Services of \$262,306 in fiscal year 2018-19 for a one-time increase to certain rates under rule Chapter 101, MaineCare Benefits Manual, Chapters II and III, Section 65 by 20% until June 30th, 2019 and to contract with a third party to conduct a rate study of those rates to be completed no later than December 1st, 2018. Federal Expenditures Fund allocations are also included for the FMAP match.

Part J of the bill includes General Fund appropriations to the Department of Health and Human Services of \$150,000 in fiscal year 2018-19 for case management and other ancillary services provided by the Office of Substance Abuse and Mental Health Services, for a maximum of 30 participants, for drug courts established by the Judicial Department. These funds can be used either to provide services at a new drug court in the state or to provide services for an increased number of participants in existing drug courts in the State.

Part J of the bill also includes General Fund appropriations to the Judicial Branch of \$10,800 in fiscal year 2018-19 for active retired judges to cover other court time of full-time sitting judges assigned either to a new drug court in the State or to existing drug courts in the State that are expanded to allow for an increased number of participants up to a maximum of 30.

Part K of the bill requires the Department of Corrections to provide a one-time payment to the Maine Public Employees Retirement System (MainePERS) for the unfunded actuarial cost of allowing eligible employees at certain state correctional facilities that close as a result of legislative action who have not reached their normal retirement age to retire and receive their full retirement benefit. Funding for the one-time payment will be collected through a one-time increase in the percentage assessment of the department's employer share contribution rate for the unfunded actuarial liability. The cost to the Department of Corrections cannot be determined at this time and will depend on the actual closure of these state correctional facilities through legislative action, the timing of the closure and the number of employees that would be eligible for the benefit provision as a result of the closure.

Part L of the bill includes a one-time General Fund appropriation of \$3,700,000 in fiscal year 2018-19 to the Child Development Services Program within the Department of Education to address a budgetary shortfall.

Part M of the bill includes a one-time Fund for a Healthy Maine allocation of \$4,000,000 in fiscal year 2018-19 to a newly created Lead Abatement Fund within the Maine State Housing Authority to provide grants for the abatement of lead paint hazards in residential housing and for the cost of establishing and administering the program. Sufficient funds are available within the Fund for a Healthy Maine to cover the one-time allocation.

Part N of the bill provides a Fund for a Healthy Maine allocation of \$600,000 in fiscal year 2018-19 to restore funding on a one-time basis to the State's school-based health centers to the level of funding provided in fiscal year 2016-17.