



126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 629

S.P. 219

In Senate, February 21, 2013

**An Act To Restore Eligibility and Funding for Drug Programs for
the Elderly and Disabled**

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator TUTTLE of York.
Cosponsored by Representative FARNSWORTH of Portland and
Senators: CAIN of Penobscot, CRAVEN of Androscoggin, GOODALL of Sagadahoc,
GRATWICK of Penobscot, HASKELL of Cumberland, HILL of York, JOHNSON of Lincoln,
LACHOWICZ of Kennebec.

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

2 **Sec. 1. 22 MRSA §254-D, sub-§4, ¶D,** as amended by PL 2011, c. 657, Pt. HH,
3 §1, is further amended to read:

4 D. Income eligibility of individuals must be determined by this paragraph and by
5 reference to the federal poverty guidelines for the 48 contiguous states and the
6 District of Columbia, as defined by the federal Office of Management and Budget
7 and revised annually in accordance with the United States Omnibus Budget
8 Reconciliation Act of 1981, Section 673, Subsection 2, Public Law 97-35,
9 reauthorized by Public Law 105-285, Section 201 (1998). If the household income is
10 not more than ~~175%~~ 185% of the federal poverty guideline applicable to the
11 household, the individual is eligible for the basic program and the supplemental
12 program. Individuals are also eligible for the basic and the supplemental program if
13 the household spends at least 40% of its income on unreimbursed direct medical
14 expenses for prescription drugs and medications and the household income is not
15 more than 25% higher than the levels specified in this paragraph. For the purposes of
16 this paragraph, the cost of drugs provided to a household under this section is
17 considered a cost incurred by the household for eligibility determination purposes.

18 **Sec. 2. Medicaid state plan amendment for the Medicare savings**
19 **program.** Notwithstanding Public Law 2011, chapter 657, Part HH, section 2, the
20 Department of Health and Human Services shall prepare and submit a Medicaid state
21 plan amendment to the federal Centers for Medicare and Medicaid Services that, effective
22 October 1, 2013, effectively increases income eligibility levels for the Medicare savings
23 program as follows: for the Qualified Medicare Beneficiary program, to income not more
24 than 150% of the federal poverty level; for the Specified Low-Income Medicare
25 Beneficiary program, to income more than 150% but not more than 170% of the federal
26 poverty level; and for the Qualified Individuals program, to income more than 170% but
27 not more than 185% of the federal poverty level.

28 **Sec. 3. Appropriations and allocations.** The following appropriations and
29 allocations are made.

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

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

32 Initiative: Adjusts funding to restore income eligibility levels for the Medicare savings
33 program.

34			
35	FUND FOR A HEALTHY MAINE	2013-14	2014-15
36	All Other	\$1,219,908	\$1,626,544
37			
38	FUND FOR A HEALTHY MAINE TOTAL	<u>\$1,219,908</u>	<u>\$1,626,544</u>

39 **FHM - Medical Care 0960**

1 Initiative: Adjusts funding to restore income eligibility levels for the Medicare savings
2 program.

3

4	FUND FOR A HEALTHY MAINE	2013-14	2014-15
5	All Other	(\$1,219,908)	(\$1,626,544)
6			
7	FUND FOR A HEALTHY MAINE TOTAL	<u>(\$1,219,908)</u>	<u>(\$1,626,544)</u>

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

9 Initiative: Provides funding to restore the upper income eligibility level for the Low-cost
10 Drugs to Maine's Elderly program from 175% to 185% of the federal poverty level.

11

12	GENERAL FUND	2013-14	2014-15
13	All Other	\$112,154	\$149,538
14			
15	GENERAL FUND TOTAL	<u>\$112,154</u>	<u>\$149,538</u>

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

17 Initiative: Adjusts funding to restore income eligibility levels for the Medicare savings
18 program.

19

20	GENERAL FUND	2013-14	2014-15
21	All Other	\$1,219,908	\$1,626,544
22			
23	GENERAL FUND TOTAL	<u>\$1,219,908</u>	<u>\$1,626,544</u>

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

25 Initiative: Restores funding for MaineCare hospital crossover payments as a result of
26 restoring income eligibility levels for the Medicare savings program.

27

28	GENERAL FUND	2013-14	2014-15
29	All Other	\$1,663,554	\$2,218,072
30			
31	GENERAL FUND TOTAL	<u>\$1,663,554</u>	<u>\$2,218,072</u>

32

33	FEDERAL EXPENDITURES FUND	2013-14	2014-15
34	All Other	\$2,865,588	\$3,820,785
35			
36	FEDERAL EXPENDITURES FUND TOTAL	<u>\$2,865,588</u>	<u>\$3,820,785</u>

37

