



125th MAINE LEGISLATURE

SECOND REGULAR SESSION-2012

Legislative Document

No. 1629

S.P. 539

In Senate, December 20, 2011

**An Act To Allow for a Contingency Fee Agreement with a
MaineCare Recovery Audit Contractor**

Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.

Received by the Secretary of the Senate on December 16, 2011. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed.

Joseph G. Carleton Jr.

JOSEPH G. CARLETON, JR.
Secretary of the Senate

Presented by Senator McCORMICK of Kennebec.

Cosponsored by Representative STRANG BURGESS of Cumberland.

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

2 **Sec. 1. 22 MRSA §13-A** is enacted to read:

3 **§13-A. MaineCare recovery audit contractor agreement**

4 Notwithstanding any other provision of law, the department may enter into an
5 agreement with a MaineCare recovery audit contractor for the purpose of identifying
6 underpayments and overpayments and recouping overpayments under the Medicaid state
7 plan and under any waiver of the state plan. An agreement entered into under this section
8 must provide that payment to such a contractor may be made only from amounts
9 recovered and that payments for collecting overpayments may be made on a contingent
10 fee basis.

11 **SUMMARY**

12 This bill authorizes the Department of Health and Human Services to enter into
13 agreements with a MaineCare audit recovery contractor, including contingency fee
14 agreements, as required under Section 6411 of the federal Patient Protection and
15 Affordable Care Act, Public Law 111-148.