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Date: (Filing No. H- )

**HEALTH AND HUMAN SERVICES**

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
132ND LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 115, L.D. 182, “An Act to Require the Department of Health and Human Services to Establish MaineCare Reimbursement Rates for the Maine Veterans' Homes on a Per Resident Basis”

Amend the bill by striking out the title and substituting the following:

**'An Act to Provide Per Diem Payments for MaineCare Residents of the Maine Veterans' Homes'**

Amend the bill by striking out everything after the enacting clause and inserting the following:

**'Sec. 1. 22 MRSA §1708-A** is enacted to read:

**§1708-A. Per diem payments to Maine Veterans' Homes**

Services provided by a veterans' facility must be reimbursed by the MaineCare program at rates established by the department in accordance with this section. This section applies to rates that are paid from all funds, including federal funds, by an agency of the State to a veterans' facility for resident care.

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Multilevel health care facility" has the same meaning as in section 7852, subsection 10-A.

B. "Nursing home" has the same meaning as in section 1812-A.

C. "Residential care facility" has the same meaning as in section 7852, subsection 14.

D. "Veterans' facility" means a nursing home, residential care facility or multilevel health care facility that is operated by the Maine Veterans' Homes at any location required under Title 37-B, section 601, subsection 2.

**2. Per resident basis.** Veterans' facilities must be reimbursed on a per resident daily rate basis for services to residents covered by the MaineCare program.

**COMMITTEE AMENDMENT**

1 **3. Rate calculations.** Different rates must be established for nursing home services  
 2 and residential care facility services provided by a veterans' facility.

3 A. For nursing homes, rate calculations under this section must follow the process and  
 4 principles established in section 3173-J to determine a daily rate that is reasonable and  
 5 adequate to cover the MaineCare allowable costs of operating a nursing home operated  
 6 by the Maine Veterans' Homes to reflect any meaningful cost differences between  
 7 veterans' and nonveterans' nursing home costs for the direct care and routine care cost  
 8 components of the daily rate. Adjustments to rates and reimbursement for purposes  
 9 that include, but are not limited to, audit procedures, quality and case mix must be made  
 10 in the same manner as those adjustments are made for all other nursing homes as  
 11 established in department rule.

12 B. For residential care facilities, rate calculations under this section must include an  
 13 add-on per diem rate that is reasonable and adequate to cover the demonstrated  
 14 MaineCare allowable costs of operating veterans' facilities that are residential care  
 15 facilities when provided in addition to the per diem rates already established under  
 16 MaineCare rules for reimbursement of residential care facilities. The add-on amounts  
 17 are subject to cost settlement so that total reimbursement does not exceed MaineCare  
 18 allowable costs for each facility.

19 **4. Annual adjustments for inflation.** The per diem rates must be annually adjusted  
 20 for inflation to the same extent that MaineCare reimbursement rates for other nursing  
 21 homes and residential care facilities that are not operated by the Maine Veterans' Homes  
 22 are adjusted.

23 **Sec. 2. Supplemental payments previously appropriated.** Upon  
 24 implementation of the rate calculations process established in the Maine Revised Statutes,  
 25 Title 22, section 1708-A, any supplemental funding allocated or appropriated for the Maine  
 26 Veterans' Homes in Public Law 2023, chapter 412 that has not been expended may not be  
 27 used as supplemental payments but may be used for the purposes of this Act.

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

30 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

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

32 Initiative: Provides funding for per diem payments to the Maine Veterans' Homes facilities  
 33 for services provided to MaineCare members.

34 <b>GENERAL FUND</b>	<b>2025-26</b>	<b>2026-27</b>
35 All Other	\$1,203,116	\$1,261,053
36		
37 GENERAL FUND TOTAL	<u>\$1,203,116</u>	<u>\$1,261,053</u>

38		
39 <b>FEDERAL EXPENDITURES FUND</b>	<b>2025-26</b>	<b>2026-27</b>
40 All Other	\$1,920,237	\$1,951,003
41		
42 FEDERAL EXPENDITURES FUND TOTAL	<u>\$1,920,237</u>	<u>\$1,951,003</u>

43 **Nursing Facilities 0148**

1 Initiative: Provides funding for per diem payments to the Maine Veterans' Homes facilities  
 2 for services provided to MaineCare members.

3	<b>GENERAL FUND</b>	<b>2025-26</b>	<b>2026-27</b>
4	All Other	\$906,612	\$1,065,141
5			
6	GENERAL FUND TOTAL	<u>\$906,612</u>	<u>\$1,065,141</u>

8	<b>FEDERAL EXPENDITURES FUND</b>	<b>2025-26</b>	<b>2026-27</b>
9	All Other	\$1,631,384	\$1,813,349
10			
11	FEDERAL EXPENDITURES FUND TOTAL	<u>\$1,631,384</u>	<u>\$1,813,349</u>

13	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2025-26</b>	<b>2026-27</b>
14	All Other	\$162,180	\$183,913
15			
16	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$162,180</u>	<u>\$183,913</u>

17 **PNMI Room and Board Z009**

18 Initiative: Provides funding for per diem payments to the Maine Veterans' Homes facilities  
 19 for services provided to MaineCare members.

20	<b>GENERAL FUND</b>	<b>2025-26</b>	<b>2026-27</b>
21	All Other	\$3,346,150	\$3,441,181
22			
23	GENERAL FUND TOTAL	<u>\$3,346,150</u>	<u>\$3,441,181</u>

25 **HEALTH AND HUMAN SERVICES,  
 26 DEPARTMENT OF  
 27 DEPARTMENT TOTALS**

28		<b>2025-26</b>	<b>2026-27</b>
29	<b>GENERAL FUND</b>	\$5,455,878	\$5,767,375
30	<b>FEDERAL EXPENDITURES FUND</b>	\$3,551,621	\$3,764,352
31	<b>OTHER SPECIAL REVENUE FUNDS</b>	\$162,180	\$183,913
32			
33	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u>\$9,169,679</u>	<u>\$9,715,640</u>

34 ,  
 35 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
 36 number to read consecutively.

37 **SUMMARY**

38 This amendment replaces the bill and changes the title. The amendment establishes a  
 39 per diem amount to be paid to the Maine Veterans' Homes facilities for each MaineCare  
 40 member, in addition to the regular reimbursement for a MaineCare member in a nursing  
 41 facility or residential care facility. The per diem must be adjusted for inflation to the same

1 extent that nursing facilities and residential care facilities are adjusted. Upon  
2 implementation of the rate calculation process established by this legislation, any  
3 supplemental payments appropriated for the Maine Veterans' Homes in Public Law 2023,  
4 chapter 412 that have not been expended may no longer be provided in supplemental  
5 payments but may be used for the purposes of this legislation. The amendment also adds  
6 an appropriations and allocations section.

7 **FISCAL NOTE REQUIRED**

8 **(See attached)**