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HEALTH AND HUMAN SERVICES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " " to H.P. 736, L.D. 981, Bill, "An Act To Implement the State's Recently Approved Request for a Section 1115 Demonstration for MaineCare"

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

'Resolve, To Submit a Request for a Section 1115 Waiver To Require Work Participation for MaineCare Eligibility'

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

'Sec. 1. Department of Health and Human Services to submit Section 1115 waiver. Resolved: That, no later than January 1, 2020, the Department of Health and Human Services shall submit a waiver request to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to implement a Medicaid demonstration that does the following:

1. Community engagement and work requirements. As a condition of eligibility for MaineCare, certain adult beneficiaries 19 to 64 years of age shall participate in 20 hours per week of community engagement activities such as employment, education, job skills training, job search activities and community service. To remain eligible for MaineCare, a nonexempt recipient may have no more than 3 months of noncompliance within a 36-month period. Adult beneficiaries exempt from this subsection are: women who are pregnant or 60 days postpartum; individuals receiving temporary or permanent disability benefits; individuals who are physically or mentally unable to participate in community engagement or work requirements for 20 hours a week as determined by a medical provider; individuals who reside in a residential facility where the individual is participating in a residential substance use disorder treatment and rehabilitation program; designated caretakers of a child under 6 years of age; caregivers who are responsible for the care of an incapacitated individual; and individuals who have a disability as defined by federal disabilities rights laws; and

2. Premiums and cost sharing. As a requirement of eligibility for MaineCare, adult beneficiaries 19 to 64 years of age are subject to monthly premiums that may not

COMMITTEE AMENDMENT

1 exceed 2% of household income except that individuals with income at or below 50% of  
 2 the federal poverty level are not subject to premiums. For MaineCare members earning  
 3 above 50% but not more than 100% of the federal poverty level, the premium is \$10 per  
 4 month. For MaineCare members earning above 100% but not more than 150% of the  
 5 federal poverty level, the premium is \$20 per month. For MaineCare members earning  
 6 above 150% but not more than 200% of the federal poverty level, the premium is \$30 per  
 7 month. For MaineCare members earning above 200% of the federal poverty level, the  
 8 premium is \$40 per month.

9 Upon approval of the waiver, the department shall implement the provisions of the waiver  
 10 within 6 months of approval.

11 **Sec. 2. Participation in the marketplace exchange for certain populations.**

12 **Resolved:** That the Department of Health and Human Services shall examine the  
 13 possibilities for MaineCare members who earn between 100% and 138% of the federal  
 14 poverty level to purchase private insurance, including on the federal marketplace  
 15 exchange established pursuant to the federal Patient Protection and Affordable Care Act,  
 16 and take all practicable steps to assist MaineCare members at this income level to  
 17 purchase private insurance, including on the exchange.

18 **Sec. 3. Appropriations and allocations. Resolved:** That the following  
 19 appropriations and allocations are made.

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

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

22 Initiative: Deappropriates and deallocates funds to account for premium payments from  
 23 members.

24	<b>GENERAL FUND</b>	<b>2019-20</b>	<b>2020-21</b>
25	All Other	(\$208,489)	(\$423,353)
26			
27	<b>GENERAL FUND TOTAL</b>	<u>(\$208,489)</u>	<u>(\$423,353)</u>

28	<b>FEDERAL EXPENDITURES FUND</b>	<b>2019-20</b>	<b>2020-21</b>
29	All Other	(\$462,619)	(\$918,862)
30			
31	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>(\$462,619)</u>	<u>(\$918,862)</u>

32  
 33 Amend the bill by relettering or renumbering any nonconsecutive Part letter or  
 34 section number to read consecutively.

35 **SUMMARY**

36 This amendment replaces the concept draft and is the minority report of the  
 37 committee. The amendment requires the Department of Health and Human Services to  
 38 submit a request for a Section 1115 waiver similar to the waiver that was approved in

1 2018 and withdrawn in January 2019. The waiver would require MaineCare members 19  
2 to 64 years of age who are considered able bodied to participate in work or similar  
3 activities for 20 hours a week and pay monthly premiums based on income. The  
4 department is required to examine the possibilities for MaineCare members earning 100%  
5 to 138% of the federal poverty level to purchase private health insurance, including on  
6 the federal marketplace exchange established under the Patient Protection and Affordable  
7 Care Act, and take all practicable steps to assist those members to purchase private  
8 insurance. The amendment also adds an appropriations and allocations section.