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Date: (Filing No. H-)

HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
132ND LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1293, L.D. 1932, “An Act to Support Essential Support Workers and Enhance Workforce Development”

Amend the bill by striking out all of sections 1 to 4.

Amend the bill by striking out all of sections 6 to 10 and inserting the following:

'Sec. 6. Maine Health Data Organization and Department of Health and Human Services to develop care gap plan. The Maine Health Data Organization, referred to in this section as "the organization," and the Department of Health and Human Services, referred to in this section as "the department," shall develop a plan to measure the State's care gap. For the purposes of this section, "care gap" means the difference between the home and community-based services individuals are authorized to receive and the services that they actually received. The organization and the department shall do the following:

1. Work with the department's appropriate vendors to create a supplemental file to report on the care gap for services provided under the sections of MaineCare policy provided under rule Chapter 101: MaineCare Benefits Manual, Chapter II, Sections 12, 17, 18, 19, 20, 21, 28, 29, 40, 65, 92 and 96. This file must include the authorization data elements needed for the organization to link this data with the claims and eligibility data that the vendor currently submits to the organization on behalf of the Office of MaineCare Services within the department. The organization must have access to the authorization, claims and eligibility data necessary to calculate the care gap. Using the existing data governance framework, the organization shall securely integrate multiple data streams, manage and store the data and develop dashboards to display key data points over time;

2. Work with the department's appropriate vendors to create a uniform reporting system for submitting key data elements to report on the care gap for services provided under the department's Office of Aging and Disability Services, Part 1 rule Chapter 5, Office of Aging and Disability Services Policy Manual, Sections 61, 63, 68 and 69. These data elements that may need modification to allow for data collection include, but are not limited

COMMITTEE AMENDMENT

1 to, the medical eligibility determination form, authorized care plan, invoiced payment data
2 and utilization reports; and

3 3. Determine if there is any data available to estimate the care gap for services provided
4 under the sections of MaineCare policy provided under rule Chapter 101: MaineCare
5 Benefits Manual, Chapter II, Sections 23 and 26 and those services provided under Section
6 65 that do not require prior authorization. If data is available, the organization and the
7 department shall estimate the care gap.

8 Following the modifications to contracts required in subsections 1 and 2, the
9 organization shall integrate multiple data streams, manage and store the data and develop
10 dashboards to display key data points over time. The organization may integrate any
11 available data for those MaineCare services that do not require prior authorization
12 described in subsection 3. The organization shall submit an annual report to the joint
13 standing committees of the Legislature having jurisdiction over health and human services
14 matters and over appropriations and financial affairs no later than November 15th of each
15 year beginning in 2027. This report must contain data on the care gap with a breakdown
16 by MaineCare Benefits Manual sections and Office of Aging and Disability Services Policy
17 Manual sections, including any changes in trends. The first report in 2027 must include
18 information on progress toward developing the care gap analysis, including any options for
19 MaineCare services without prior authorization. The joint standing committee of the
20 Legislature having jurisdiction over health and human services matters is authorized to
21 report out legislation in response to the first report in 2027. As part of any proposed
22 legislation, the joint standing committee of the Legislature having jurisdiction over health
23 and human services matters must consider the inclusion of the care gap data and the full
24 cost of providing the services identified in the care gap in one of the existing statutorily
25 required reports submitted by the department to the joint standing committee of the
26 Legislature having jurisdiction over health and human services matters.

27 **Sec. 7. Cost-of-living adjustment for essential support workers; MaineCare**
28 **rates.** Notwithstanding any provision of law to the contrary, the Department of Health
29 and Human Services shall submit a request to seek approval from the United States
30 Department of Health and Human Services, Centers for Medicare and Medicaid Services
31 to implement a cost-of-living adjustment of 3.07% for reimbursement rates subject to rule
32 Chapter 101: MaineCare Benefits Manual, Chapter II, Sections 13, 65 and 92 and rule
33 Chapter 101: MaineCare Benefits Manual, Chapter III, Sections 2, 12, 17, 18, 19, 20, 21,
34 26, 29, 40, 67, 96 and 97 Appendix C effective January 1, 2027. The department shall
35 submit the request required to seek approval under this section to implement the cost-of-
36 living adjustment as soon as practicable.

37 **Sec. 8. Cost-of-living adjustment for state-funded home and community-**
38 **based services.** The Department of Health and Human Services shall increase
39 reimbursement for state-funded home and community-based services by implementing a
40 cost-of-living increase of 3.07% for direct care services provided under the department's
41 Office of Aging and Disability Services, Part 1 rule Chapter 5, Office of Aging and
42 Disability Services Policy Manual, Sections 61, 63, 68 and 69 effective January 1, 2027 to
43 maintain parity with similar MaineCare programs.

44 **Sec. 9. Appropriations and allocations.** The following appropriations and
45 allocations are made.

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

2 **Developmental Services Waiver - MaineCare Z211**

3 Initiative: Provides funding to the Department of Health and Human Services to implement
 4 a cost-of-living adjustment for direct care services under several MaineCare policy sections
 5 and state-funded home and community-based services.

6	GENERAL FUND	2025-26	2026-27
7	All Other	\$0	\$3,601,826
8			
9	GENERAL FUND TOTAL	\$0	\$3,601,826

10 **Developmental Services Waiver - Supports Z212**

11 Initiative: Provides funding to the Department of Health and Human Services to implement
 12 a cost-of-living adjustment for direct care services under several MaineCare policy sections
 13 and state-funded home and community-based services.

14	GENERAL FUND	2025-26	2026-27
15	All Other	\$0	\$295,468
16			
17	GENERAL FUND TOTAL	\$0	\$295,468

18 **Long Term Care - Office of Aging and Disability Services 0420**

19 Initiative: Provides funding to the Department of Health and Human Services to implement
 20 a cost-of-living adjustment for direct care services under several MaineCare policy sections
 21 and state-funded home and community-based services.

22	GENERAL FUND	2025-26	2026-27
23	All Other	\$0	\$253,130
24			
25	GENERAL FUND TOTAL	\$0	\$253,130

26 **Medicaid Services - Developmental Services Z210**

27 Initiative: Provides funding to the Department of Health and Human Services to implement
 28 a cost-of-living adjustment for direct care services under several MaineCare policy sections
 29 and state-funded home and community-based services.

30	GENERAL FUND	2025-26	2026-27
31	All Other	\$0	\$270,572
32			
33	GENERAL FUND TOTAL	\$0	\$270,572

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

35 Initiative: Provides funding to the Department of Health and Human Services to implement
 36 a cost-of-living adjustment for direct care services under several MaineCare policy sections
 37 and state-funded home and community-based services.

38	GENERAL FUND	2025-26	2026-27
39	All Other	\$0	\$2,954,257
40			
41	GENERAL FUND TOTAL	\$0	\$2,954,257

1			
2	FEDERAL EXPENDITURES FUND	2025-26	2026-27
3	All Other	\$0	\$11,488,930
4			
5	FEDERAL EXPENDITURES FUND TOTAL	\$0	\$11,488,930
6			
7	FEDERAL BLOCK GRANT FUND	2025-26	2026-27
8	All Other	\$0	\$75,046
9			
10	FEDERAL BLOCK GRANT FUND TOTAL	\$0	\$75,046
11	Nursing Facilities 0148		
12	Initiative: Provides funding to the Department of Health and Human Services to implement		
13	a cost-of-living adjustment for direct care services under several MaineCare policy sections		
14	and state-funded home and community-based services.		
15	GENERAL FUND	2025-26	2026-27
16	All Other	\$0	\$2,099,642
17			
18	GENERAL FUND TOTAL	\$0	\$2,099,642
19			
20	FEDERAL EXPENDITURES FUND	2025-26	2026-27
21	All Other	\$0	\$3,843,337
22			
23	FEDERAL EXPENDITURES FUND TOTAL	\$0	\$3,843,337
24			
25	OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
26	All Other	\$0	\$379,339
27			
28	OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$379,339
29	Office of MaineCare Services 0129		
30	Initiative: Provides funding to the Department of Health and Human Services to implement		
31	a cost-of-living adjustment for direct care services under several MaineCare policy sections		
32	and state-funded home and community-based services.		
33	GENERAL FUND	2025-26	2026-27
34	All Other	\$0	\$42,194
35			
36	GENERAL FUND TOTAL	\$0	\$42,194
37			
38	FEDERAL EXPENDITURES FUND	2025-26	2026-27
39	All Other	\$0	\$130,538
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41	FEDERAL EXPENDITURES FUND TOTAL	\$0	\$130,538

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PNMI Room and Board Z009

Initiative: Provides funding to the Department of Health and Human Services to implement a cost-of-living adjustment for direct care services under several MaineCare policy sections and state-funded home and community-based services.

GENERAL FUND	2025-26	2026-27
All Other	\$0	\$534,775
GENERAL FUND TOTAL	<u>\$0</u>	<u>\$534,775</u>

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

	2025-26	2026-27
GENERAL FUND	\$0	\$10,051,864
FEDERAL EXPENDITURES FUND	\$0	\$15,462,805
OTHER SPECIAL REVENUE FUNDS	\$0	\$379,339
FEDERAL BLOCK GRANT FUND	\$0	\$75,046
DEPARTMENT TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$25,969,054</u>

HEALTH DATA ORGANIZATION, MAINE

Maine Health Data Organization 0848

Initiative: Provides one-time funding to the Maine Health Data Organization for data collection and initial implementation of a reporting dashboard to calculate the care gap for Office of Aging and Disability Services services.

OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
All Other	\$0	\$133,768
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$133,768</u>

**HEALTH DATA ORGANIZATION, MAINE
DEPARTMENT TOTALS**

	2025-26	2026-27
OTHER SPECIAL REVENUE FUNDS	\$0	\$133,768
DEPARTMENT TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$133,768</u>

SECTION TOTALS

	2025-26	2026-27
GENERAL FUND	\$0	\$10,051,864
FEDERAL EXPENDITURES FUND	\$0	\$15,462,805
OTHER SPECIAL REVENUE FUNDS	\$0	\$513,107
FEDERAL BLOCK GRANT FUND	\$0	\$75,046

