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Date:

(Filing No. S-)

HEALTH AND HUMAN SERVICES

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

131ST LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to S.P. 200, L.D. 445, “Resolve, Directing the Department of Health and Human Services to Apply for a Waiver from the Federal Government for the Medicaid Limitation on Payment to a Facility with More Than 16 Inpatient Beds for Psychiatric Treatment”

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

Sec. 1. Application for waiver from the institutions for mental disease exclusion. Resolved: That within 9 months of the effective date of this resolve, the Department of Health and Human Services shall apply to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services for a waiver of the prohibition, as described in 42 Code of Federal Regulations, Section 435.1009, against the provision of Medicaid covered services to individuals who are inpatients in a hospital, nursing facility or other institution with more than 16 beds that is primarily engaged in providing diagnosis, treatment or care to persons with mental disease.

Sec. 2. Report by department. Resolved: That the Department of Health and Human Services shall inform the joint standing committee of the Legislature having jurisdiction over health and human services matters when it submits to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services the waiver application required by section 1. The department also shall, by January 1, 2025, report on the status of the waiver request and its implementation of any services provided pursuant to authorities granted by the Centers for Medicare and Medicaid Services to the joint standing committee of the Legislature having jurisdiction over health and human services matters.

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

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF
Medical Care - Payments to Providers 0147**

1 Initiative: Provides funding for the Department of Health and Human Services to provide
 2 payments to facilities with more than 16 inpatient beds for psychiatric treatment.

3	GENERAL FUND	2023-24	2024-25
4	All Other	\$329,949	\$1,319,795
5			
6	GENERAL FUND TOTAL	<u>\$329,949</u>	<u>\$1,319,795</u>

8	FEDERAL EXPENDITURES FUND	2023-24	2024-25
9	All Other	\$909,119	\$3,636,475
10			
11	FEDERAL EXPENDITURES FUND TOTAL	<u>\$909,119</u>	<u>\$3,636,475</u>

12 **Office of MaineCare Services 0129**

13 Initiative: Provides one-time funding for required technology changes.

14	GENERAL FUND	2023-24	2024-25
15	All Other	\$10,330	\$0
16			
17	GENERAL FUND TOTAL	<u>\$10,330</u>	<u>\$0</u>

19	FEDERAL EXPENDITURES FUND	2023-24	2024-25
20	All Other	\$30,990	\$0
21			
22	FEDERAL EXPENDITURES FUND TOTAL	<u>\$30,990</u>	<u>\$0</u>

24	HEALTH AND HUMAN SERVICES,		
25	DEPARTMENT OF		
26	DEPARTMENT TOTALS	2023-24	2024-25
27			
28	GENERAL FUND	\$340,279	\$1,319,795
29	FEDERAL EXPENDITURES FUND	\$940,109	\$3,636,475
30			
31	DEPARTMENT TOTAL - ALL FUNDS	<u>\$1,280,388</u>	<u>\$4,956,270</u>

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

35 **SUMMARY**

36 This amendment replaces the resolve and changes the date by which the Department
 37 of Health and Human Services is required to submit its waiver request to the Federal
 38 Government from 90 days after the effective date of the resolve to 9 months after the
 39 effective date of the resolve. It requires the Department of Health and Human Services to
 40 inform the joint standing committee of the Legislature having jurisdiction over health and
 41 human services matters of its submission to the United States Department of Health and

1 Human Services, Centers for Medicare and Medicaid Services of the waiver application. It
2 requires the department to report, by January 1, 2025, on the status of the waiver request
3 and its implementation of any services provided pursuant to authorities granted by the
4 Centers for Medicare and Medicaid Services to the joint standing committee of the
5 Legislature having jurisdiction over health and human services matters.

6 **FISCAL NOTE REQUIRED**

7 **(See attached)**