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Date: (Filing No. S-)

HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
SENATE
132ND LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 824, L.D. 2131, “An Act to Preserve and Improve Access to Nursing Facility Services in the State”

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

'Resolve, Regarding the Nursing Facility Reform Transition Fund'

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

'Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, since 2014, 29 nursing facilities have closed across the State, and these closures have been driven in large part by MaineCare reimbursement rates and a workforce crisis that threatens the stability of long-term care services; and

Whereas, Maine has the oldest population in the nation, and the demand for long-term care services continues to rise even as access to such care rapidly declines, placing vulnerable older and disabled adults at immediate risk; and

Whereas, severe workforce shortages within nursing facilities have created ongoing instability in the sector, and timely adjustments to MaineCare reimbursement rates for nursing facilities are essential to support the recruitment and retention of qualified staff necessary to ensure the safety and well-being of residents; and

Whereas, the Legislature established the Nursing Facility Reform Transition Fund to assist facilities in moving toward fully implemented MaineCare rate reforms by calendar year 2028, and all facilities should receive cost-of-living increases in their reimbursement rates during this transition; and

Whereas, unappropriated General Fund surplus amounts were transferred to the Department of Health and Human Services, Nursing Facilities program, Other Special Revenue Funds account, including by Part SSS of Public Law 2023, chapter 643, to provide the financial support necessary for facilities to implement new nursing facility rates beginning January 1, 2025; and

COMMITTEE AMENDMENT

1 Benefits Manual, Chapter III, Section 67, Principles of Reimbursement for Nursing
2 Facilities, as soon as practicable to require that the guardrails that are used in the 3-year
3 transition to new reimbursement rates be adjusted for inflation. The amendment also
4 requires the Department of Health and Human Services to convene a stakeholder group to
5 examine issues related to the Nursing Facility Reform Transition Fund. The stakeholder
6 group must submit a report, no later than January 15, 2027, to the joint standing committee
7 of the Legislature having jurisdiction over health and human services matters. The
8 committee is authorized to report out legislation related to the report. The amendment also
9 adds an emergency preamble and emergency clause.

10 **FISCAL NOTE REQUIRED**

11 **(See attached)**