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Date: (Filing No. H-)

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
FIRST SPECIAL SESSION**

HOUSE AMENDMENT “ ” to COMMITTEE AMENDMENT “A” to H.P. 123, L.D. 199, “An Act to Improve the Health of Maine Residents by Removing Exclusions to the MaineCare Program”

Amend the amendment in the first instructional paragraph by striking out the following: "in section 1 in the blocked paragraph in the first line (page 1, line 4 in L.D.) by striking out the following: "January" and inserting the following: 'July'" and inserting the following:

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

'Sec. 1. 22 MRSA §3174-FFF, sub-§1-A is enacted to read:

1-A. Additional coverage provided for parents and caretaker relatives.
Notwithstanding any provision of law to the contrary, effective July 1, 2024, and subject to adjustment by the commissioner pursuant to this subsection, the parent or caretaker relative of a child who is under 18 years of age and eligible for coverage through the MaineCare program or the children's health insurance program as defined in section 3174-X, subsection 1, paragraph A or under subsection 1 is eligible for the same scope of medical assistance provided under section 3174-G for comparable enrollment groups to a person who would be eligible for assistance under the federal Medicaid program under Title XIX of the federal Social Security Act but for the person's immigration status. In accordance with 8 United States Code, Section 1621, the State shall appropriate funds in the state budget to provide state-funded medical assistance through the MaineCare program for noncitizens who are parents or caretaker relatives under this subsection who reside in the State and are ineligible for coverage due to federal restrictions relating to immigration status in the federal Medicaid program.

MaineCare services provided under this subsection must be provided within the limits of funds appropriated for those services, including an annual inflation adjustment equivalent to the rate of inflation in the Medicaid program. On a quarterly basis, the commissioner shall determine the fiscal status of program expenditures under this subsection. If the commissioner determines that expenditures will exceed the funds available to provide MaineCare coverage pursuant to this subsection, the commissioner shall adjust the income eligibility limit for new applicants to the extent necessary to provide MaineCare services under this subsection within funds appropriated. If, after an adjustment has occurred pursuant to this subsection, expenditures fall below the funds appropriated, the

HOUSE AMENDMENT

1 commissioner shall raise the income eligibility limit to the extent necessary to provide
 2 services to as many eligible persons as possible within the funds appropriated.

3 By July 1, 2024, the department shall adopt rules to implement this subsection. Rules
 4 adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter
 5 375, subchapter 2-A.

6 **Sec. 2. 22 MRSA §3174-FFF, sub-§1-B** is enacted to read:

7 **1-B. Maximization of federal funds.** The department shall maximize the receipt of
 8 available federal matching funds for coverage provided under subsections 1 and 1-A.

9 **Sec. 3. Federal Medicaid waivers or state plan amendments; funding.** The
 10 Department of Health and Human Services shall establish coverage under the Maine
 11 Revised Statutes, Title 22, section 3174-FFF, subsection 1-A as of July 1, 2024 using state
 12 funds. The department may seek to acquire matching federal funds under the Medicaid
 13 program by submitting to the United States Department of Health and Human Services,
 14 Centers for Medicare and Medicaid Services any waivers or state plan amendments
 15 determined necessary. Implementation of coverage required by Title 22, section 3174-FFF,
 16 subsection 1-A is not contingent on federal approval of any waivers or amendments to the
 17 state Medicaid plan or federal funding for this purpose.

18 **Sec. 4. Appropriations and allocations.** The following appropriations and
 19 allocations are made.

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

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

22 Initiative: Provides funding for MaineCare program coverage for noncitizen residents of
 23 this State who are parents or caretaker relatives of a child under 18 years of age with
 24 qualifying low incomes who are ineligible for coverage under the federal Medicaid
 25 program due to their immigration status, beginning July 1, 2024.

| | | | |
|----|---------------------|----------------|----------------|
| 26 | GENERAL FUND | 2023-24 | 2024-25 |
| 27 | All Other | \$0 | \$6,165,595 |
| 28 | | | |
| 29 | GENERAL FUND TOTAL | \$0 | \$6,165,595 |

30 **Office of MaineCare Services 0129**

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

| | | | |
|----|---------------------|----------------|----------------|
| 32 | GENERAL FUND | 2023-24 | 2024-25 |
| 33 | All Other | \$75,001 | \$0 |
| 34 | | | |
| 35 | GENERAL FUND TOTAL | \$75,001 | \$0 |

36
 37 **HEALTH AND HUMAN SERVICES,**
 38 **DEPARTMENT OF**
 39 **DEPARTMENT TOTALS**

| | | | |
|----|---------------------|-----------------|--------------------|
| 40 | | 2023-24 | 2024-25 |
| 41 | GENERAL FUND | \$75,001 | \$6,165,595 |
| 42 | | | |

