



# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 399

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H.P. 308

House of Representatives, January 29, 2019

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**An Act To Align Wages for Direct Care Workers for Persons with  
Intellectual Disabilities or Autism with the Minimum Wage**

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Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative CRAVEN of Lewiston.  
Cosponsored by Senator LIBBY of Androscoggin and  
Representatives: FECTION of Biddeford, GATTINE of Westbrook, HYMANSON of York,  
KESCHL of Belgrade, MADIGAN of Waterville, MARTIN of Eagle Lake, MOONEN of  
Portland, PERRY of Calais.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §3195, sub-§1**, as enacted by PL 2017, c. 459, Pt. A, §1, is  
3 amended to read:

4 **1. Reimbursement.** The department shall reimburse services provided to  
5 MaineCare member adults with intellectual disabilities or autism under a waiver granted  
6 by the federal Centers for Medicare and Medicaid Services for home-based and  
7 community-based care on the basis of rates and a methodology established by major  
8 substantive rulemaking and that includes a rate for direct care workers, as defined in  
9 section 1717, subsection 1, paragraph A-3, that is no less than 125% of the minimum  
10 wage established in Title 26, section 664, subsection 1. The department shall, at least  
11 every 2 years, conduct a substantive review of the rates set under this section. The review  
12 must provide for public comment. This section applies to all funds, including federal  
13 funds, paid by any agency of the State to a provider for care covered by the waiver.

14 **SUMMARY**

15 This bill specifies that the MaineCare reimbursement rate for direct care workers for  
16 adults with intellectual disabilities or autism must be at least 125% of the state minimum  
17 wage.