

Date:

(Filing No. H-)

HEALTH AND HUMAN SERVICES

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STATE OF MAINE HOUSE OF REPRESENTATIVES 130TH LEGISLATURE FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to H.P. 450, L.D. 614, “Resolve, To Extend Funding to Maine Veterans' Homes during the COVID-19 Pandemic”

Amend the resolve 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, Maine Veterans' Homes are facing dire financial shortfalls as a result of the COVID-19 pandemic; and

Whereas, Maine Veterans' Homes do not fit into the peer system established in nursing home reimbursement methodologies as a result of requirements from the United States Department of Veterans Affairs additional to those required of other providers; and

Whereas, funding is needed for the fiscal year that begins on July 1, 2021; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Department of Health and Human Services to amend rules; Maine Veterans' Homes. Resolved: That the Department of Health and Human Services shall amend its rules in Chapter 101: MaineCare Benefits Manual, Chapter III, Section 67, Principles of Reimbursement for Nursing Facilities, to allocate a supplemental payment of \$1,304,425 from the General Fund with matching funds from the Federal Expenditures Fund, in both fiscal years 2021-22 and 2022-23, to the Maine Veterans' Homes to offset budget shortfalls. The department, in its rulemaking, shall determine a methodology that allocates funding in a manner that addresses Maine Veterans' Homes shortfalls on a basis proportional to the shortfall of each Maine Veterans' Homes nursing facility. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

Sec. 2. Federal funding. Resolved: That the Department of Health and Human Services may reduce the funds appropriated and allocated to Maine Veterans' Homes in this resolve by only the equivalent amount of funds derived from the federal American Rescue Plan Act of 2021 that are eligible for the purposes of this resolve.

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

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF
Nursing Facilities 0148**

Initiative: Provides one-time appropriations and allocations to the Department of Health and Human Services to provide supplemental payments in both fiscal year 2021-22 and 2022-23 to Maine Veterans' Homes nursing facilities.

| GENERAL FUND | 2021-22 | 2022-23 |
|--|--------------------|--------------------|
| All Other | \$1,304,425 | \$1,304,425 |
| GENERAL FUND TOTAL | \$1,304,425 | \$1,304,425 |
| FEDERAL EXPENDITURES FUND | 2021-22 | 2022-23 |
| All Other | \$2,298,959 | \$2,298,959 |
| FEDERAL EXPENDITURES FUND TOTAL | \$2,298,959 | \$2,298,959 |

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.'

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

SUMMARY

This amendment provides one-time appropriations to Maine Veterans' Homes for fiscal years 2021-22 and 2022-23. It allows the Department of Health and Human Services to reduce the funding only if federal funding is available for this purpose and only by that amount. The amendment replaces the appropriations and allocations section and adds an emergency preamble and emergency clause.