

131st MAINE LEGISLATURE

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Legislative Document

No. 1430

H.P. 926

House of Representatives, March 30, 2023

Resolve, to Amend the Funding Formula for Reimbursing Nursing Facilities Under the MaineCare Program

(EMERGENCY)

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

ROBERT B. HUNT Clerk

R(+ B. Hunt

Presented by Representative RUSSELL of Verona Island. Cosponsored by Representatives: EATON of Deer Isle, MILLIKEN of Blue Hill, MORIARTY

of Cumberland, MORRIS of Turner.

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

Whereas, rural nursing facilities primarily serving MaineCare members are closing due to low reimbursement rates; and

Whereas, adjusting the MaineCare program nursing facility reimbursement rate immediately is essential to prevent more nursing facilities from closing; 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 adjust funding formula for nursing facilities. Resolved: That, notwithstanding any provision of law to the contrary, the Department of Health and Human Services shall amend its funding formula for nursing facilities as follows:
- 1. For nursing facilities located on islands in the State that are not connected to the mainland, the department shall reimburse 100% of the actual costs of providing nursing services for MaineCare members; and
- 2. For all other nursing facilities in the State, the department shall reimburse the costs of providing nursing services for MaineCare members by multiplying the rate of reimbursement under subsection 1 by the percentage of MaineCare beds, except that reimbursement under this subsection may not be less than 30%. The department shall determine the ratio under this subsection on a biannual basis.

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

25 SUMMARY

This resolve directs the Department of Health and Human Services to amend its funding formula for nursing facilities in the State to reimburse nursing facilities located on certain islands in the State 100% of the actual costs of providing nursing services for MaineCare members and to base reimbursement for all other nursing facilities on the percentage of MaineCare beds.