



# 129th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2020

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Legislative Document

No. 2137

S.P. 768

In Senate, March 5, 2020

### **Resolve, To Increase the Reimbursement Rates for Home-based Services**

(AFTER DEADLINE)

(EMERGENCY)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator BELLOWS of Kennebec.

Cosponsored by Representative GATTINE of Westbrook and

Senators: President JACKSON of Aroostook, LIBBY of Androscoggin, TIMBERLAKE of Androscoggin, VITELLI of Sagadahoc, Representatives: Speaker GIDEON of Freeport, HARNETT of Gardiner, PIERCE of Falmouth, WARREN of Hallowell.

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

3           **Whereas,** the 90-day period will not terminate until after the beginning of the next  
4 fiscal year; and

5           **Whereas,** this legislation affects obligations and expenses during the course of the  
6 current fiscal year and requires immediate attention; and

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

11           **Sec. 1. Reimbursement. Resolved:** That the Department of Health and Human  
12 Services shall amend its rules to increase reimbursement rates for home-based services in  
13 accordance with this section.

14           1. The department shall raise the hourly reimbursement rate by 40% for:

15           A. Attendant Care Services provided under the provisions of Chapter 101:  
16 MaineCare Benefits Manual, Chapter III, Section 19, Home and Community Benefits  
17 for the Elderly and Adults with Disabilities;

18           B. Attendant Care Services provided under the provisions of Chapter 101:  
19 MaineCare Benefits Manual, Chapter III, Section 96, Private Duty Nursing and  
20 Personal Care Services;

21           C. Attendant Care Services provided under the provisions of Chapter 101:  
22 MaineCare Benefits Manual, Chapter III, Section 12, Allowances for Consumer-  
23 Directed Attendant Services;

24           D. Consumer-directed Home Based Care Services provided under the provisions of  
25 Chapter 14-197, Office of Aging and Disability Services, Chapter 11, Consumer-  
26 Directed Personal Assistance Services; and

27           E. Participant-driven Personal Support Services provided under the provisions of  
28 Chapter 10-149, Office of Aging and Disability Services Policy Manual, Chapter 5,  
29 Section 63, In-home and Community Support Services for Elderly and Other Adults.

30           2. The department shall raise the hourly reimbursement rate by 53.5% for:

31           A. Personal Support Services; Respite Care in the home by Certified Nurse's Aide,  
32 Home Health Aide, attendant or personal support specialist; Certified Nurse's Aide -  
33 Home Health Services; and Home Health Aide - Home Health Services provided  
34 under the provisions of Chapter 101: MaineCare Benefits Manual, Chapter III,  
35 Section 19, Home and Community Benefits for the Elderly and Adults with  
36 Disabilities;

37           B. Personal Support Services; Certified Nurse's Aide - Home Health Services; and  
38 Home Health Aid - Home Health Services provided under the provisions of Chapter

1 101: MaineCare Benefits Manual, Chapter III, Section 96, Private Duty Nursing and  
2 Personal Care Services; and

3 C. Personal Support Services provided under the provisions of Chapter 10-149,  
4 Office of Aging and Disability Services Policy Manual, Chapter 5, Section 63, In-  
5 Home and Community Support Services for Elderly and Other Adults.

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

8 **SUMMARY**

9 This resolve requires that the Department of Health and Human Services amend its  
10 rules to increase reimbursement rates for certain specified home-based services.

**Sec. Appropriations and allocations.**

The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

**Long Term Care - Office of Aging and Disability Services 0420**

Initiative: Provides appropriations for rate increases for certain services.

<b>GENERAL FUND</b>	<b>2019-20</b>	<b>2020-21</b>
All Other	\$1,496,694	\$5,986,774
<b>GENERAL FUND TOTAL</b>	<b>\$1,496,694</b>	<b>\$5,986,774</b>

**Medical Care - Payments to Providers 0147**

Initiative: Provides appropriations and allocations for rate increases for certain services.

<b>GENERAL FUND</b>	<b>2019-20</b>	<b>2020-21</b>
All Other	\$2,929,486	\$11,743,798
<b>GENERAL FUND TOTAL</b>	<b>\$2,929,486</b>	<b>\$11,743,798</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2019-20</b>	<b>2020-21</b>
All Other	\$5,196,191	\$20,758,908
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$5,196,191</b>	<b>\$20,758,908</b>

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

	<b>2019-20</b>	<b>2020-21</b>
<b>GENERAL FUND</b>	<b>\$4,426,180</b>	<b>\$17,730,572</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>\$5,196,191</b>	<b>\$20,758,908</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$9,622,371</b>	<b>\$38,489,480</b>



# 129th MAINE LEGISLATURE

LD 2137

LR 3218(01)

Resolve, To Increase the Reimbursement Rates for Home-based Services

Preliminary Fiscal Impact Statement for Original Bill

Sponsor: Sen. Bellows of Kennebec

Committee: Health and Human Services

Fiscal Note Required: Yes

## Preliminary Fiscal Impact Statement

	FY 2019-20	FY 2020-21	Projections FY 2021-22	Projections FY 2022-23
<b>Net Cost (Savings)</b>				
General Fund	\$4,426,180	\$17,730,572	\$17,740,268	\$17,740,268
<b>Appropriations/Allocations</b>				
General Fund	\$4,426,180	\$17,730,572	\$17,740,268	\$17,740,268
Federal Expenditures Fund	\$5,196,191	\$20,758,908	\$20,749,212	\$20,749,212
<b>Revenue</b>				
Federal Expenditures Fund	\$5,196,191	\$20,758,908	\$20,749,212	\$20,749,212

### Fiscal Detail and Notes

The Department of Health and Human Services will require General Fund appropriations of \$4,426,180 in fiscal year 2019-20 and \$17,730,572 in fiscal year 2020-21 for rate increases for certain services. Federal Expenditures Fund allocations will also be required for the FMAP match.