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L.D. 1954

Date:

(Filing No. H-)

*final
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7/14/20*

HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
SECOND SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1398, L.D. 1954, “An Act To Amend the Laws Governing Estate Recovery under the MaineCare Program”

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

Sec. 1. 22 MRSA §14, sub-§2-I, ¶A, as amended by PL 2003, c. 20, Pt. K, §2, is further amended by amending subparagraph (2) to read:

(2) It is determined that the recipient was 55 years of age or older when that person received MaineCare assistance and the MaineCare assistance received was for nursing facility services or home and community-based services, including hospital and prescription drug services provided to a person receiving nursing facility services or home and community-based services. The amount of the department's claim under this subparagraph is limited to the amount of the MaineCare assistance provided for the services specified in this subparagraph as required by federal law. The provisions of this subparagraph apply in all cases in which the department is not pursuing an action to enforce a claim against a deceased member's estate as of the effective date of this subparagraph; or

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF
Medical Care - Payments to Providers 0147**

Initiative: Provides appropriation and allocation to account for changes to estate recovery under the MaineCare Program.

GENERAL FUND	2019-20	2020-21
All Other	\$0	\$419,210
GENERAL FUND TOTAL	<u>\$0</u>	<u>\$419,210</u>

COMMITTEE AMENDMENT

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FEDERAL EXPENDITURES FUND	2019-20	2020-21
All Other	\$0	\$736,195
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$736,195

Office of MaineCare Services 0129

Initiative: Provides appropriation and allocation for technology changes required by changes to estate recovery under the MaineCare program.

GENERAL FUND	2019-20	2020-21
All Other	\$0	\$3,837
GENERAL FUND TOTAL	\$0	\$3,837

FEDERAL EXPENDITURES FUND	2019-20	2020-21
All Other	\$0	\$11,511
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$11,511

HEALTH AND HUMAN SERVICES, DEPARTMENT OF DEPARTMENT TOTALS	2019-20	2020-21
GENERAL FUND	\$0	\$423,047
FEDERAL EXPENDITURES FUND	\$0	\$747,706
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$1,170,753

SUMMARY

This amendment, which is the unanimous report of the committee, clarifies that the provisions regarding estate recovery relating to hospital and prescription drug services do not apply to those services provided to MaineCare members generally, but only to a MaineCare member who is receiving nursing facility services or home and community-based services. The amendment also provides that actions that are pending as of the effective date of this legislation are not affected by the changes to estate recovery provided in this legislation.

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This amendment also adds an appropriations and allocations section.

FISCAL NOTE REQUIRED

(See attached)



129th MAINE LEGISLATURE

LD 1954

LR 2929(02)

An Act To Amend the Laws Governing Estate Recovery under the MaineCare Program

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Health and Human Services

Fiscal Note Required: Yes

Fiscal Note

	FY 2019-20	FY 2020-21	Projections FY 2021-22	Projections FY 2022-23
Net Cost (Savings)				
General Fund	\$0	\$248,376	\$419,528	\$419,528
Appropriations/Allocations				
General Fund	\$0	\$248,376	\$419,528	\$419,528
Federal Expenditures Fund	\$0	\$440,958	\$735,877	\$735,877
Revenue				
Federal Expenditures Fund	\$0	\$440,958	\$735,877	\$735,877

Fiscal Detail and Notes

The bill includes General Fund appropriations to the Department of Health and Human Services of \$248,376 in fiscal year 2020-21 to account for changes to estate recovery under the MaineCare Program. Federal Expenditures Fund allocations are also included for the FMAP match.

ROS: A/A section has changed. Use below.

Sec. Appropriations and allocations.

The following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF

Medical Care - Payments to Providers 0147

Initiative: Provides appropriation and allocation to account for changes to estate recovery under the MaineCare program.

GENERAL FUND	2019-20	2020-21
All Other	\$0	\$244,539
GENERAL FUND TOTAL	\$0	\$244,539

FEDERAL EXPENDITURES FUND	2019-20	2020-21
All Other	\$0	\$429,447
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$429,447

Office of MaineCare Services 0129

Initiative: Provides appropriation and allocation for technology changes required by changes to estate recovery under the MaineCare program.

GENERAL FUND	2019-20	2020-21
All Other	\$0	\$3,837
GENERAL FUND TOTAL	\$0	\$3,837

FEDERAL EXPENDITURES FUND	2019-20	2020-21
All Other	\$0	\$11,511
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$11,511

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

	2019-20	2020-21
GENERAL FUND	\$0	\$248,376
FEDERAL EXPENDITURES FUND	\$0	\$440,958
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$689,334