

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the amendment by striking out the first 2 indented paragraphs after the title (page 1, lines 11 to 15 in amendment) and inserting in their place the following:

'Amend the resolve by striking out all of sections 1 and 2 (page 1, lines 1 to 12 in L.D.) and inserting in their place the following:

'Sec. 1 State plan amendment. Resolved: That the following provisions apply to consumer-directed personal assistance services provided by the Department of Health and Human Services and the Department of Labor.

1. The Department of Health and Human Services shall submit to the federal Department of Health and Human Services, Centers for Medicare and Medicaid Services a MaineCare state plan amendment to establish a new state plan program for personal assistance services for persons with physical disabilities. The program must provide services through the self-directed program model authorized in the federal Deficit Reduction Act of 2005, Section 6086. The state plan amendment must be designed to transfer some participants in the current physical disabilities waiver to the new state plan program for personal assistance services for persons with physical disabilities.

2. After approval of the state plan amendment by the federal Department of Health and Human Services, Centers for Medicare and Medicaid Services and no earlier than January 1, 2007, the Department of Health and Human Services may increase reimbursement for providers of consumer-directed personal assistance services in the 3 programs administered by the department up to a rate of \$10 per hour as long as the conditions of this subsection are satisfied.

A. Savings to the General Fund must be generated from the transfer of participants from the current physical disabilities waiver program to the new state plan program for personal assistance for persons with physical disabilities and those savings must be sufficient, together with any federal matching funds, to fund any increase in reimbursement above \$9 per hour.

B. This subsection does not authorize an increase in General Fund expenditures for reimbursement for providers of consumer-directed personal assistance services above the level budgeted for reimbursement of \$9 per hour.

3. Beginning on the effective date of the new reimbursement level established under subsection 2 by the Department of Health and Human Services for the 3 programs of consumer-directed personal assistance services administered through that department, the Department of Labor may increase the reimbursement rate for consumer-directed personal assistance services in the program administered by the Department of Labor by an amount equal to the increase granted by the Department of Health and Human Services; and be it further'

Further amend the amendment by striking out all of the 5th and 6th indented paragraphs after the title (page 1, lines 27 to 30 in amendment)

Further amend the amendment by striking out all of section 7 (page 1, lines 31 to 34 and page 2, lines 1 to 14 in amendment)

Further amend the amendment by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment amends Committee Amendment "A". This amendment is intended to provide for an increase in reimbursement rates for providers of consumer-directed personal assistance services through the maximization of federal Medicaid funds. The amendment directs the Department of Health and Human Services to submit a MaineCare state plan amendment to establish a new consumer-directed personal assistance program under the federal Deficit Reduction Act of 2005. The amendment authorizes the Department of Health and Human Services to increase reimbursement rates for consumer-directed personal assistance services up to a rate of \$10 per hour no earlier than January 1, 2007 if the state plan amendment is approved and rates can be increased through the use of General Fund funds and any matching federal funds without cost to the General Fund. The amendment allows the Department of Labor to increase rates in that department's consumer-directed program if the Department of Health and Human Services increases rates.

FISCAL NOTE REQUIRED

(See attached)