

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 in Part D in section 1 in the 3rd line (page 27, line 28 in amendment) by striking out the following: "\$10,000,000" and inserting the following: '\$13,000,000'

Amend the amendment in Part D by inserting after section 2 the following:

‘Sec. D-3. Transfer for repayment of federal funds for ineligible MaineCare recipients. Prior to the close of fiscal year 2012-13, if the Commissioner of Health and Human Services and the Commissioner of Administrative and Financial Services determine that the State must reimburse the federal Centers for Medicare and Medicaid Services for costs resulting from the payment of Medicaid funds for ineligible MaineCare recipients for services provided from September 1, 2010 through December 28, 2011, the commissioners may declare a budget emergency and the State Controller shall transfer up to \$3,791,770 from the available balance in the Maine Budget Stabilization Fund established in the Maine Revised Statutes, Title 5, chapter 142 to the Medical Care - Payments to Providers, Federal Expenditures Fund account within the Department of Health and Human Services for federal repayments related to the ineligible MaineCare recipients. Amounts transferred may be expended based on allotment established by financial order approved by the Governor. The Governor shall inform the Legislative Council and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs immediately upon such a transfer from the Maine Budget Stabilization Fund.’

Amend the amendment in Part K in section 1 in the 3rd line (page 31, line 9 in amendment) by striking out the following: "\$500,000" and inserting the following: '\$250,000'

Amend the amendment by inserting after Part HH the following:

PART II

Sec. II-1. 5 MRSA §1591, sub-§2, ¶D, as enacted by PL 2011, c. 655, Pt. V, §1, is amended to read:

D. Any balance remaining in the accounts of the Department of Health and Human Services, Mental Health Services - Community program appropriated for the purposes of rental assistance and, shelter services and consent decree activities at the end of any fiscal year to be carried forward for use in the next fiscal year for the same purpose.

PART JJ

Sec. JJ-1. Appropriations and allocations. The following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)

Developmental Services Waiver - MaineCare 0987

Initiative: Provides funds to serve individuals on the waiting list for services under the MaineCare Benefits Manual, Chapter II, Section 21, Home and Community Benefits for Members with Intellectual Disabilities or Autistic Disorder.

GENERAL FUND	2011-12	2012-13
All Other	\$0	\$500,000
GENERAL FUND TOTAL	\$0	\$500,000

Mental Health Services - Child Medicaid 0731

Initiative: Reduces funding by reducing optional coverage for children who are behaviorally challenged and who are in a residential setting.

GENERAL FUND	2011-12	2012-13
All Other	\$0	(\$375,000)
GENERAL FUND TOTAL	\$0	(\$375,000)

Mental Health Services - Children 0136

Initiative: Provides funding to offset a deappropriation in Part A of this Act reducing contracts for residential services.

GENERAL FUND	2011-12	2012-13
All Other	\$0	\$1,250,000
GENERAL FUND TOTAL	\$0	\$1,250,000

**HEALTH AND HUMAN SERVICES, DEPARTMENT
 OF (FORMERLY BDS)
 DEPARTMENT TOTALS
 GENERAL FUND**

	2011-12	2012-13
	\$0	\$1,375,000
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$1,375,000

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)

Medical Care - Payments to Providers 0147

Initiative: Provides funds to offset a 10% rate reduction for adult family care services in Public Law 2011, chapter 477, Part M.

GENERAL FUND	2011-12	2012-13
All Other	\$0	\$22,007
GENERAL FUND TOTAL	<hr/> \$0	<hr/> \$22,007

FEDERAL EXPENDITURES FUND	2011-12	2012-13
All Other	\$0	\$37,908
FEDERAL EXPENDITURES FUND TOTAL	<hr/> \$0	<hr/> \$37,908

Medical Care - Payments to Providers 0147

Initiative: Provides funds to serve individuals on the waiting list for services under the MaineCare Benefits Manual, Chapter II, Section 21, Home and Community Benefits for Members with Intellectual Disabilities or Autistic Disorder.

FEDERAL EXPENDITURES FUND	2011-12	2012-13
All Other	\$0	\$861,285
FEDERAL EXPENDITURES FUND TOTAL	<hr/> \$0	<hr/> \$861,285

Medical Care - Payments to Providers 0147

Initiative: Reduces funding by reducing optional coverage for children who are behaviorally challenged and who are in a residential setting.

FEDERAL EXPENDITURES FUND	2011-12	2012-13
All Other	\$0	(\$645,964)
FEDERAL EXPENDITURES FUND TOTAL	<hr/> \$0	<hr/> (\$645,964)

**HEALTH AND HUMAN SERVICES, DEPARTMENT
 OF (FORMERLY DHS)**

DEPARTMENT TOTALS	2011-12	2012-13
GENERAL FUND	\$0	\$22,007
FEDERAL EXPENDITURES FUND	\$0	\$253,229

DEPARTMENT TOTAL - ALL FUNDS	\$0	\$275,236
SECTION TOTALS	2011-12	2012-13
GENERAL FUND	\$0	\$1,397,007
FEDERAL EXPENDITURES FUND	\$0	\$253,229
SECTION TOTAL - ALL FUNDS	\$0	\$1,650,236

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

SUMMARY

This amendment does the following.

It amends Part D of Committee Amendment "A" to transfer \$13,000,000 from the General Fund unappropriated surplus to the Maine Budget Stabilization Fund during fiscal year 2012-13. It provides for a method of repayment of federal funds received for ineligible MaineCare recipients.

It amends Part K of Committee Amendment "A" to reduce by \$250,000 the transfer from the Ground Water Oil Clean-up Fund, Other Special Revenue Funds account in the Department of Environmental Protection to General Fund unappropriated surplus at the close of fiscal year 2012-13.

It adds a Part II that requires that any balances of appropriations provided for consent decree activities in the Department of Health and Human Services, Mental Health Services - Community program carry forward at the end of each fiscal year to be used in the next fiscal year for the same purpose.

It adds a Part JJ that:

1. Provides funds to serve individuals on the waiting list for services for individuals with intellectual disabilities or autism;
2. Reduces funding for behaviorally challenged children in a residential setting;
3. Provides funds to offset a deappropriation in Committee Amendment "A"; and
4. Provides funds to offset a 10% rate reduction in adult family care services in Public Law 2011, chapter 477.

FISCAL NOTE REQUIRED

(See attached)