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Resolve, Regarding Increases in Reimbursement Rates for Certain Children's Habilitative Services under MaineCare

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

Whereas, the Department of Health and Human Services contracted for a rate study for MaineCare rehabilitative and community support services for children with cognitive impairments and functional limitations under department rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 28, which was performed by Burns & Associates, Inc. and which recommended rate increases for certain services covered by that rule; and

Whereas, the recommended rate increases have not been implemented because the department has not proposed a rule amendment to put the increased rates into effect; and

Whereas, Public Law 2017, chapter 284, Part SSSSSSS, section 1 places a moratorium on decreases in rates for these services but does not prohibit rate increases; and

Whereas, the providers of these services are in need of the recommended rate increases because, as shown in the rate study, current rates do not cover costs that must be met in order for providers to continue to offer these services; 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 increase MaineCare rates.

Resolved: That, notwithstanding any other provision of law, no later than April 1, 2018, the Department of Health and Human Services shall amend rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 28 to increase reimbursement rates for children's habilitative services and specialized children's habilitative services in accordance with the April 24, 2017 report "Rate Study for Behavioral Health and Targeted Case Management Services: Final Proposed Rates for Formal Rulemaking" prepared for the department by Burns & Associates, Inc. Rules adopted pursuant to this section are major substantive rules pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

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

SUMMARY

This resolve directs the Department of Health and Human Services to adopt major substantive rules amending rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 28 by April 1, 2018 to increase reimbursement rates for children's habilitative services and specialized children's habilitative services in accordance with the April 24, 2017 report "Rate Study for Behavioral Health and Targeted

Case Management Services: Final Proposed Rates for Formal Rulemaking" prepared for the department by Burns & Associates, Inc.