

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

An Act To Amend MaineCare Reimbursement Related to Bad Debt and Bed-hold Days

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 22 MRSA §1708, sub-§5 is enacted to read:

5. Nursing home bad debt. A nursing home, as defined under section 1812-A, including any portion of a hospital or institution operated as a nursing home, when the State is liable for payment for care, must be reimbursed at a rate established by the department pursuant to this subsection. When a nursing home incurs bad debt due to nonpayment for patient care because the patient was determined ineligible for MaineCare and the nursing home has undertaken all reasonable collection efforts, the department must reimburse 50% of the MaineCare rate for up to 6 months of care as if that patient had been eligible for MaineCare. The department shall adopt rules no later than January 1, 2020 to implement this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. Adult family care home reimbursement for bed-hold days. No later than January 1, 2020, the Department of Health and Human Services shall amend its rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 2, Adult Family Care Services to reimburse for up to 30 bed-hold days per calendar year, days a resident is absent from a facility due to hospitalization, visits with family or friends or other appropriate causes determined by the department. The rate of reimbursement must be at least equal to the rate for bed-hold days provided to residential care facilities under the department's rule Chapter 115: Principles of Reimbursement for Residential Care Facilities.

SUMMARY

This bill requires the Department of Health and Human Services to reimburse up to 50% of the MaineCare rate for patient care for a maximum of 6 months to nursing homes for bad debt incurred when a patient is provided care but is determined ineligible for MaineCare and the nursing home has made all reasonable efforts to collect on the debt. The bill also requires the Department of Health and Human Services to reimburse adult family care homes for up to 30 bed-hold days per calendar year in the same manner as residential care facilities are reimbursed.