



130th MAINE LEGISLATURE

LD 461

LR 1220(02)

An Act To Allow the Reduction of a MaineCare Lien

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Judiciary

Fiscal Note Required: Yes

Fiscal Note

	FY 2021-22	FY 2022-23	Projections FY 2023-24	Projections FY 2024-25
Net Cost (Savings)				
General Fund	\$324,720	\$324,000	\$324,000	\$324,000
Appropriations/Allocations				
General Fund	\$324,720	\$324,000	\$324,000	\$324,000
Federal Expenditures Fund	\$575,280	\$576,000	\$576,000	\$576,000
Revenue				
Federal Expenditures Fund	\$575,280	\$576,000	\$576,000	\$576,000
Other Special Revenue Funds	\$324,720	\$324,000	\$324,000	\$324,000

Fiscal Detail and Notes

The bill includes General Fund appropriations to the Department of Health and Human Services of \$324,720 in fiscal year 2021-22 and \$324,000 in fiscal year 2022-23 due to the elimination of the prohibition on reducing the statutory lien to reflect an assessment of the recipient's attorney's fees or litigation costs. Federal Expenditures Fund allocations are also included for the FMAP match.

The bill also changes statute to state that the MaineCare lien can only apply to the portion of the award or settlement that is attributable to medical expenses paid by MaineCare. This limitation is already the law based on two Supreme Court decisions, *Arkansas v. Ahlborn*, 547 U.S. 268 (2006) and *Wos v. E.M.A.*, 568 U.S. 627 (2013), so there is no fiscal impact associated with this change.