



# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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Legislative Document

No. 225

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H.P. 146

House of Representatives, January 20, 2023

**An Act to Expand the Reimbursement to Hospitals for Days  
Awaiting Placement in Facilities**

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Reference to the Committee on Health and Human Services suggested and ordered printed.

  
ROBERT B. HUNT  
Clerk

Presented by Representative PERRY of Calais.  
Cosponsored by Senator BENNETT of Oxford and  
Representatives: COLLAMORE of Pittsfield, CRAVEN of Lewiston, MEYER of Eliot,  
WHITE of Waterville.

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

2 **Sec. 1. 22 MRSA §3174-AAA**, as enacted by PL 2017, c. 454, §1, is amended to  
3 read:

4 **§3174-AAA. Reimbursement for days awaiting placement; reimbursement for**  
5 **hospitals other than critical access hospitals**

6 ~~Beginning January 1, 2019, the~~ The department shall provide reimbursement to  
7 hospitals other than critical access hospitals for each day after the 10th day that a  
8 MaineCare-eligible individual is in the care of a hospital while awaiting placement in a  
9 nursing facility or residential care facility. The department shall reimburse hospitals  
10 prospectively at the statewide average rate per MaineCare member day for nursing facility  
11 services or residential care facility services. The department shall compute the statewide  
12 average rate per MaineCare member day based on the simple average of the nursing facility  
13 rate or residential care facility rate per MaineCare member day for the applicable state  
14 fiscal year or years prorated for the hospital's fiscal year. Reimbursement for days awaiting  
15 placement pursuant to this section is limited to a maximum of \$500,000 of combined  
16 General Fund funds and federal funds for each year. For purposes of this section, "critical  
17 access hospital" has the same meaning as in section 7932, subsection 10.

18 ~~This section is repealed December 31, 2023.~~

19 **SUMMARY**

20 Current law requires the Department of Health and Human Services to provide  
21 reimbursement to hospitals other than critical access hospitals for each day after the 10th  
22 day that a MaineCare-eligible individual is in the care of a hospital while awaiting  
23 placement in a nursing facility. This bill provides that the department also is required to  
24 provide reimbursement to hospitals other than critical access hospitals for each day after  
25 the 10th day that a MaineCare-eligible individual is in the care of a hospital while awaiting  
26 placement in a residential care facility. The bill removes the provision that repeals the  
27 current law on December 31, 2023.