



127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 472

H.P. 311

House of Representatives, February 24, 2015

**An Act To Establish Meals on Wheels as a Service Covered under
the MaineCare Program**

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

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative COOPER of Yarmouth.
Cosponsored by Representative SANBORN of Gorham, Senator BREEN of Cumberland and
Representatives: HERBIG of Belfast, KORNFIELD of Bangor, MASTRACCIO of Sanford.

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

2 **Sec. 1. 22 MRSA §3174-YY** is enacted to read:

3 **§3174-YY. Meals for persons 60 years of age and older**

4 Notwithstanding any other provision of law, by October 1, 2015, the department shall
5 provide for the reimbursement under the MaineCare program of all costs related to home-
6 delivered meals that contain at least 1/3 of the recommended dietary allowances
7 established for persons 60 years of age and older by an independent national scientific
8 research council approved by the department.

9 **Sec. 2. Department of Health and Human Services to apply for approval.**

10 The Department of Health and Human Services shall apply to the federal Department of
11 Health and Human Services, Centers for Medicare and Medicaid Services for the
12 necessary waivers or state plan amendments to reimburse for home-delivered meals for
13 persons 60 years of age and older, also known as Meals on Wheels.

14 **Sec. 3. Impact on persons receiving home-delivered nutrition services**
15 **who are not eligible for MaineCare program.**

16 Persons receiving home-delivered
17 nutrition services who are eligible for the services under Department of Health and
18 Human Services Rule Chapter 5, Bureau of Elder and Adult Services Policy Manual,
19 Section 65, Nutrition Services but are not otherwise eligible for the MaineCare program
20 remain eligible for the nutrition services but are not reimbursed by the MaineCare
program pursuant to the Maine Revised Statutes, Title 22, section 3174-YY.

21 **Sec. 4. Contingent effective date.**

22 That section of this Act that enacts the Maine
23 Revised Statutes, Title 22, section 3174-YY does not take effect unless the federal
24 Department of Health and Human Services, Centers for Medicare and Medicaid Services
25 grants the necessary waivers or state plan amendments applied for in section 2. The
26 Commissioner of Health and Human Services shall notify the Secretary of State, the
27 Secretary of the Senate, the Clerk of the House and the Revisor of Statutes when the
commissioner has received approval of the necessary waivers or state plan amendments.

28 **SUMMARY**

29 This bill allows Meals on Wheels to be reimbursed under the MaineCare program. It
30 requires the Department of Health and Human Services to apply for the necessary
31 waivers or state plan amendments from the federal Department of Health and Human
32 Services, Centers for Medicare and Medicaid Services. It allows those persons who are
33 currently eligible to receive home-delivered meals from Meals on Wheels under
34 department rule but would not otherwise be eligible for the MaineCare program to
35 continue to receive meals.