



128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1471

H.P. 1010

House of Representatives, April 18, 2017

**An Act To Amend the Laws Governing the Deduction for
MaineCare Payments from a School Administrative Unit's State
Subsidy**

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

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

ROBERT B. HUNT
Clerk

Presented by Representative SPEAR of South Thomaston.
Cosponsored by Representatives: BEEBE-CENTER of Rockland, HANDY of Lewiston,
MELARAGNO of Auburn.

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

2 **Sec. 1. 20-A MRSA §15689-A, sub-§22**, as amended by PL 2015, c. 63, §1, is
3 further amended to read:

4 **22. MaineCare seed for school administrative units.** The commissioner may
5 ~~deduct from a school administrative unit's state subsidy and~~ pay on behalf of ~~the~~ a school
6 administrative unit allowable school-based costs that represent the school administrative
7 unit's portion of MaineCare payments. Prior to establishing state subsidies for the school
8 administrative units, the commissioner shall make payments under this subsection from
9 an account capitalized in an amount estimated by the commissioner, based on prior years'
10 experience, to represent the total amount of allowable school-based costs representing the
11 MaineCare payments of all of the school administrative units; funds not distributed from
12 the account do not lapse and must be carried forward to be used for the same purpose in
13 subsequent years. A transfer of payment by the department to the Department of Health
14 and Human Services must be made pursuant to a schedule agreed upon by the
15 Department of Health and Human Services and the department and in a manner that
16 remains in compliance with federal intergovernmental transfer requirements. No later
17 than 90 days after the incurrence of allowable school-based payments to schools, the
18 Department of Health and Human Services shall provide the detailed payment
19 information to the department. ~~The department shall make this information available and~~
20 ~~apply the adjustment to the appropriate school administrative units within 30 days of~~
21 ~~receipt of the detailed payment information from the Department of Health and Human~~
22 ~~Services.~~

23 **SUMMARY**

24 Under current law, the Commissioner of Education is authorized to pay on behalf of a
25 school administrative unit allowable school-based costs that represent the school
26 administrative unit's portion of MaineCare payments. Current law also provides that the
27 commissioner may then deduct that amount from the school administrative unit's state
28 subsidy. This bill changes the law to require the commissioner to make payments from a
29 nonlapsing account capitalized in an amount estimated by the commissioner to represent
30 the total amount of allowable school-based costs representing the MaineCare payments of
31 all of the school administrative units.