

131st MAINE LEGISLATURE

FIRST SPECIAL SESSION-2023

Legislative Document

No. 1784

H.P. 1147

House of Representatives, April 25, 2023

Resolve, to Improve Access to Appropriate Levels of Long-term Care by Rebasing and Increasing Reimbursement Rates

(EMERGENCY)

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

R(+ B. Hunt

ROBERT B. HUNT Clerk

Presented by Speaker TALBOT ROSS of Portland. Cosponsored by Senator BAILEY of York and Representatives: ARFORD of Brunswick, MASTRACCIO of Sanford, NUTTING of Oakland, PRINGLE of Windham.

- 1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not 2 become effective until 90 days after adjournment unless enacted as emergencies; and
- Whereas, this legislation requires changes to certain MaineCare reimbursement rates
 and requires these changes to take effect July 1, 2023; and
- 5 **Whereas,** in the judgment of the Legislature, these facts create an emergency within 6 the meaning of the Constitution of Maine and require the following legislation as 7 immediately necessary for the preservation of the public peace, health and safety; now, 8 therefore, be it
- 9 Sec. 1. Department of Health and Human Services to rebase 10 reimbursement rates. Resolved: That, notwithstanding any provision of law to the 11 contrary, the Department of Health and Human Services shall rebase reimbursement rates, 12 effective July 1, 2023, to reflect the increased costs experienced by nursing facilities, 13 including, but not limited to, the cost of labor.
- 14 Sec. 2. Department of Health and Human Services to establish enhanced 15 reimbursement rate. Resolved: That the Department of Health and Human Services 16 shall amend its rules in Chapter 101: MaineCare Benefits Manual, Chapter III, Section 67, 17 Principles of Reimbursement for Nursing Facilities, Section 22.3.3.4 to provide that, 18 effective July 1, 2023, the upper limit on the base year case mix and regionally adjusted 19 cost per day is the median multiplied by 130%.
- Sec. 3. Department of Health and Human Services to improve access to nursing facilities for patients with special needs. Resolved: That the Department of Health and Human Services shall work with nursing facilities to improve access to the facilities for patients with special needs, including, but not limited to, bariatric patients, patients in need of dialysis treatment, patients undergoing cancer treatment or long-term infusion therapy and patients with behavioral health needs.
- Emergency clause. In view of the emergency cited in the preamble, this legislation
 takes effect when approved.
- 27 takes effect when approved.
 28 SUMMARY
- 29 This resolve requires the Department of Health and Human Services to:
- 30
 1. Rebase reimbursement rates, effective July 1, 2023, to reflect the increased costs
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 experienced by nursing facilities;
- Amend its rules in Chapter 101: MaineCare Benefits Manual, Chapter III, Section
 67, Principles of Reimbursement for Nursing Facilities to provide that, effective July 1,
 2023, the upper limit on the base year case mix and regionally adjusted cost per day is the
 median multiplied by 130%; and
- 36 3. Work with nursing facilities to improve access to the facilities for patients with
 37 certain special needs.