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Date: (Filing No. H-)

HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
127TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 70, L.D. 87, “Resolve, To Implement the Recommendations of the Commission To Continue the Study of Long-term Care Facilities”

Amend the resolve by striking out all of the emergency preamble.

Amend the resolve in section 1 in the 2nd line (page 1, line 16 in L.D.) by inserting after the following: "That" the following: ', by January 1, 2016,'

Amend the resolve in section 1 by striking out all of subsection 3 (page 1, lines 25 to 28 in L.D.)

Amend the resolve in section 1 in subsection 4 in the last line (page 1, line 35 in L.D.) by striking out the following: "April 15, 2015." and inserting the following: 'January 1, 2016; and be it further'

Amend the resolve in section 1 by renumbering the subsections to read consecutively.

Amend the resolve by adding after section 1 the following:

Sec. 2. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)

Nursing Facilities 0148

Initiative: Provides funding to restore crossover payments to nursing facilities related to the nondual Qualified Medicare Beneficiary program population of the Medicare Savings Program for whom coverage was eliminated in Public Law 2013, chapter 368.

GENERAL FUND	2015-16	2016-17
All Other	\$200,641	\$601,923
GENERAL FUND TOTAL	<u>\$200,641</u>	<u>\$601,923</u>

COMMITTEE AMENDMENT

1	FEDERAL EXPENDITURES FUND	2015-16	2016-17
2	All Other	\$336,838	\$1,010,515
3			
4	FEDERAL EXPENDITURES FUND TOTAL	<u>\$336,838</u>	<u>\$1,010,515</u>

5 **Nursing Facilities 0148**

6 Initiative: Provides funding to decrease the occupancy percentage threshold required for a
 7 nursing facility with more than 60 beds from 90% to 80% and for a nursing facility with
 8 60 beds or fewer from 85% to 75%.

9	GENERAL FUND	2015-16	2016-17
10	All Other	\$63,187	\$84,249
11			
12	GENERAL FUND TOTAL	<u>\$63,187</u>	<u>\$84,249</u>

13	FEDERAL EXPENDITURES FUND	2015-16	2016-17
14	All Other	\$106,078	\$141,438
15			
16	FEDERAL EXPENDITURES FUND TOTAL	<u>\$106,078</u>	<u>\$141,438</u>

17 **Nursing Facilities 0148**

18 Initiative: Adjusts funding to reflect the impact on the nursing home tax from the
 19 decrease of the occupancy percentage threshold required for a nursing facility with more
 20 than 60 beds from 90% to 80% and for a nursing facility with 60 beds or fewer from 85%
 21 to 75%.

22	GENERAL FUND	2015-16	2016-17
23	All Other	(\$10,156)	(\$13,541)
24			
25	GENERAL FUND TOTAL	<u>(\$10,156)</u>	<u>(\$13,541)</u>

26	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
27	All Other	\$10,156	\$13,541
28			
29	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$10,156</u>	<u>\$13,541</u>

30 **Nursing Facilities 0148**

31 Initiative: Adjusts funding to reflect the impact on the nursing home tax from the
 32 restoration of crossover payments to nursing facilities related to the nondual Qualified

1 Medicare Beneficiary program population of the Medicare Savings Program for whom
 2 coverage was eliminated in Public Law 2013, chapter 368.

3	GENERAL FUND	2015-16	2016-17
4	All Other	(\$26,874)	(\$80,622)
5			
6	GENERAL FUND TOTAL	<u>(\$26,874)</u>	<u>(\$80,622)</u>

7	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
8	All Other	\$26,874	\$80,622
9			
10	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$26,874</u>	<u>\$80,622</u>

11 **Nursing Facilities 0148**

12 Initiative: Provides funding to create a critical access nursing facility designation using
 13 criteria that are sensitive to the unique access challenges in remote areas of the State and
 14 provide that a critical access nursing facility designation qualifies as an allowable
 15 exception to MaineCare budget neutrality.

16	GENERAL FUND	2015-16	2016-17
17	All Other	\$1,760,713	\$2,347,617
18			
19	GENERAL FUND TOTAL	<u>\$1,760,713</u>	<u>\$2,347,617</u>

20 **Nursing Facilities 0148**

21 Initiative: Adjusts funding to reflect the impact on the nursing home tax from the creation
 22 of a critical access nursing facility designation using criteria that are sensitive to the
 23 unique access challenges in remote areas of the State and provide that a critical access
 24 nursing facility designation qualifies as an allowable exception to MaineCare budget
 25 neutrality.

26	GENERAL FUND	2015-16	2016-17
27	All Other	(\$105,643)	(\$140,857)
28			
29	GENERAL FUND TOTAL	<u>(\$105,643)</u>	<u>(\$140,857)</u>

30	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
31	All Other	\$105,643	\$140,857
32			
33	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$105,643</u>	<u>\$140,857</u>

1 **Office of MaineCare Services 0129**

2 Initiative: Provides funding for the technology-related costs, including system changes,
 3 testing and oversight, to implement the recommendations of the Commission To
 4 Continue the Study of Long-term Care Facilities.

5	GENERAL FUND	2015-16	2016-17
6	All Other	\$44,674	\$0
7			
8	GENERAL FUND TOTAL	<u>\$44,674</u>	<u>\$0</u>

9	FEDERAL EXPENDITURES FUND	2015-16	2016-17
10	All Other	\$44,674	\$0
11			
12	FEDERAL EXPENDITURES FUND TOTAL	<u>\$44,674</u>	<u>\$0</u>

13	HEALTH AND HUMAN SERVICES,		
14	DEPARTMENT OF (FORMERLY DHS)		
15	DEPARTMENT TOTALS	2015-16	2016-17
16			
17	GENERAL FUND	\$1,926,542	\$2,798,769
18	FEDERAL EXPENDITURES FUND	\$487,590	\$1,151,953
19	OTHER SPECIAL REVENUE FUNDS	\$142,673	\$235,020
20			
21	DEPARTMENT TOTAL - ALL FUNDS	<u>\$2,556,805</u>	<u>\$4,185,742</u>
22			

23 Amend the resolve by striking out all of the emergency clause.

24 **SUMMARY**

25 This amendment, which is the majority report of the committee, strikes the
 26 emergency preamble and emergency clause. It requires the Department of Health and
 27 Human Services to amend the rules on principles of reimbursement for nursing facilities
 28 in the MaineCare Benefits Manual by January 1, 2016. The amendment removes the
 29 provision of the resolve that requires the rules to be amended to restore the crossover
 30 payments to nursing facilities related to nondual qualified Medicare beneficiaries because
 31 the crossover payments are not part of the principles of reimbursement. The amendment
 32 also adds an appropriations and allocations section. The appropriations and allocations
 33 section includes an appropriation and an allocation to restore the crossover payments.