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HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1088, L.D. 1486, Bill, “An Act To Strengthen Supports for Adults with Intellectual Disabilities or Autism in Crisis”

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 34-B MRSA §5206, sub-§8 is enacted to read:

8. Rules. The department shall adopt rules to implement this section. Rules adopted pursuant to this subsection are major substantive rules as defined by Title 5, chapter 375, subchapter 2-A.

Sec. 2. Department of Health and Human Services to study rate changes and rate structure for persons with intellectual disabilities or autism. The Department of Health and Human Services shall study the existing services for persons with intellectual disabilities or autism and determine the adequacy of the MaineCare reimbursement methodology and rates paid to providers for meeting the needs of persons with intellectual disabilities or autism at risk for out-of-home placement due to challenging behavior that affects health and safety. The department shall report its findings, along with recommendations and any suggested legislation, to the Joint Standing Committee on Health and Human Services no later than January 30, 2020. The committee is authorized to report out a bill to the Second Regular Session of the 129th Legislature.

Sec. 3. Rulemaking. The Department of Health and Human Services shall provisionally adopt rules that are required pursuant to the Maine Revised Statutes, Title 34-B, section 5206, subsection 8 no later than April 1, 2020.'

SUMMARY

This amendment replaces the bill. It amends the current law regarding crisis and respite services for persons with intellectual disabilities or autism by requiring the Department of Health and Human Services to provisionally adopt major substantive rules on crisis and respite services no later than April 1, 2020. It also requires the Department

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2 disabilities or autism and determine the adequacy of the MaineCare reimbursement
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4 of-home placement due to challenging behavior that affects health and safety. The
5 department is required to report its findings and recommendations to the Joint Standing
6 Committee on Health and Human Services no later than January 30, 2020.

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FISCAL NOTE REQUIRED

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(See attached)