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(Filing No. H- )

**HEALTH AND HUMAN SERVICES**

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
129TH LEGISLATURE  
SECOND SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1380, L.D. 1936, “An Act To Allow Parents of Minors Who Qualify for In-home Personal Care under the MaineCare Program To Be Employed as Caregivers for Those Minors”

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

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

**§3174-EEE. In-home personal care services to minors**

**1. Reimbursement for parent.** A parent of a child who is eligible for in-home personal care services under the MaineCare program or a similar state-funded program may receive reimbursement for providing those services to the child only if the parent is hired and supervised by an employer pursuant to subsection 2 and in accordance with rules adopted by the department.

**2. Employer designation.** In order for a parent to be reimbursed under subsection 1, an employer must be designated by the department. The employer must be approved by both the department and the parent to act in the child's best interest. The employer may be another person who is not the parent of the child or may be a personal care agency as defined in section 1717, subsection 1, paragraph C or a placement agency as defined in section 1717, subsection 1, paragraph C-1.

**3. Rulemaking.** The department shall adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 2. Department of Health and Human Services to seek federal approval.** The Department of Health and Human Services shall seek any necessary state plan amendments or waivers from the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to implement the Maine Revised Statutes, Title 22, section 3174-EEE. The department shall submit the requests for approval no later than 6 months after the effective date of this Act.

***COMMITTEE AMENDMENT***



1 Human Services to report to the joint standing committee of the Legislature having  
2 jurisdiction over health and human services matters regarding progress in submitting any  
3 waiver or state plan amendment to the United States Department of Health and Human  
4 Services, Centers for Medicare and Medicaid Services and submit a final report regarding  
5 the number of parents providing in-home personal care services to their children.

6 This amendment also adds appropriations and allocations.

7 **FISCAL NOTE REQUIRED**

8 **(See attached)**

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