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Date: (Filing No. S-)

HEALTH AND HUMAN SERVICES

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

131ST LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to S.P. 255, L.D. 587, “Resolve, to Automatically Increase a Residential Care or Nursing Facility Resident's Personal Needs Allowance Under the MaineCare Program When the Consumer Price Index Increases”

Amend the resolve by striking out the title and substituting the following:

'Resolve, to Increase Residential Care and Nursing Facility Residents' Personal Needs Allowances Under the MaineCare Program'

Amend the resolve by striking out everything after the title and inserting the following:

'Sec. 1. Personal needs allowance for residents of nursing facilities.

Resolved: That, by January 1, 2025, the Department of Health and Human Services shall amend the rules for the MaineCare program to increase the personal needs allowance for persons residing in nursing facilities. The rules must provide for an increase in the personal needs allowance to \$70 per month. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

Sec. 2. Personal needs allowance for residents of residential care facilities.

Resolved: That, by January 1, 2025, the Department of Health and Human Services shall amend the rules for the MaineCare program to increase the personal needs allowance for persons residing in residential care facilities. The rules must provide for an increase in the personal needs allowance to \$100 per month. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

Sec. 3. Cost-of-living increases. Resolved:

That the Department of Health and Human Services shall apply a cost-of-living increase to the personal needs allowance for persons residing in nursing facilities or residential care facilities under the rules for the MaineCare program on an annual basis. The inflation-adjusted cost-of-living percentage change must be made in accordance with the United States Department of Labor, Bureau of Labor Statistics Consumer Price Index. The personal needs allowance may not be reduced if the cost-of-living change for a year is negative.

COMMITTEE AMENDMENT

1 **Sec. 4. Appropriations and allocations. Resolved:** That the following
 2 appropriations and allocations are made.

3 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**
 4 **Medical Care - Payments to Providers 0147**

5 Initiative: Appropriates and allocates funds to increase the personal needs allowances of
 6 residents in residential care facilities from \$70 to \$100 by January 1, 2025.

7	GENERAL FUND	2023-24	2024-25
8	All Other	\$0	\$111,410
9			
10	GENERAL FUND TOTAL	\$0	\$111,410

12	FEDERAL EXPENDITURES FUND	2023-24	2024-25
13	All Other	\$0	\$450,961
14			
15	FEDERAL EXPENDITURES FUND TOTAL	\$0	\$450,961

16 **Mental Health Services - Community Medicaid Z201**

17 Initiative: Appropriates funds to increase the personal needs allowances of residents in
 18 residential care facilities from \$70 to \$100 by January 1, 2025.

19	GENERAL FUND	2023-24	2024-25
20	All Other	\$0	\$108,452
21			
22	GENERAL FUND TOTAL	\$0	\$108,452

23 **Nursing Facilities 0148**

24 Initiative: Appropriates and allocates funds to increase the personal needs allowances of
 25 residents in nursing facilities from \$40 to \$70 by January 1, 2025.

26	GENERAL FUND	2023-24	2024-25
27	All Other	\$0	\$269,309
28			
29	GENERAL FUND TOTAL	\$0	\$269,309

31	FEDERAL EXPENDITURES FUND	2023-24	2024-25
32	All Other	\$0	\$372,289
33			
34	FEDERAL EXPENDITURES FUND TOTAL	\$0	\$372,289

35 **Office of Substance Abuse & Mental Health Srv-Medicaid Seed Z202**

36 Initiative: Appropriates funds to increase the personal needs allowances of residents in
 37 residential care facilities from \$70 to \$100 by January 1, 2025.

38	GENERAL FUND	2023-24	2024-25
39	All Other	\$0	\$2,465
40			
41	GENERAL FUND TOTAL	\$0	\$2,465

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PNMI Room and Board Z009

Initiative: Appropriates funds to increase the personal needs allowances of residents in residential care facilities from \$70 to \$100 by January 1, 2025.

GENERAL FUND	2023-24	2024-25
All Other	\$0	\$64,604
GENERAL FUND TOTAL	\$0	\$64,604

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF
DEPARTMENT TOTALS**

	2023-24	2024-25
GENERAL FUND	\$0	\$556,240
FEDERAL EXPENDITURES FUND	\$0	\$823,250
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$1,379,490

Amend the resolve by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment replaces the resolve. It directs the Department of Health and Human Services to amend its MaineCare rules to provide for increases in the personal needs allowances of residents in nursing facilities to \$70 per month and in residential care facilities to \$100 per month. It also applies an annual cost-of-living increase to the personal needs allowances.

FISCAL NOTE REQUIRED

(See attached)