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Date: (Filing No. S- )

**HEALTH AND HUMAN SERVICES**

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**STATE OF MAINE  
SENATE  
126TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 704, L.D. 1776, Bill, “An Act To Implement the Recommendations of the Commission To Study Long-term Care Facilities”

Amend the bill in section 1 in subsection 3 by striking out all of paragraph F (page 2, lines 10 and 11 in L.D.) and inserting the following:

'F. Establish a nursing facility's base year every 2 years and increase the rate of reimbursement beginning July 1, 2014 and every year thereafter.'

Amend the bill in section 2 in subsection 1 in the first line (page 2, line 18 in L.D.) by inserting after the following: "year" the following: 'every 2 years'

Amend the bill in section 2 in subsection 1 in the 2nd line (page 2, line 19 in L.D.) by striking out the following: "2 years" and inserting the following: 'year'

Amend the bill in section 2 by striking out all of subsection 5 and inserting the following:

'5. The rule must be amended in Sections 91 and 91.1 to provide for ongoing, annual rate changes beginning July 1, 2014 to adjust for inflation and to set the inflation adjustment cost-of-living percentage change in nursing facility reimbursement each year in accordance with the United States Department of Labor, Bureau of Labor Statistics Consumer Price Index medical care services index.'

Amend the bill in section 2 by inserting after subsection 7 the following:

'The rate of reimbursement for nursing facilities that results from amending the rules to reflect rebasing the nursing facility's base year pursuant to this section may not result for any nursing facility in a rate of reimbursement that is lower than the rate in effect on April 1, 2014.'

Amend the bill by striking out all of section 7 and inserting the following:

**'Sec. 7. Appropriations and allocations.** The following appropriations and allocations are made.

**COMMITTEE AMENDMENT**

1 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**

2 **Nursing Facilities 0148**

3 Initiative: Provides funding for increased reimbursements under the MaineCare program  
4 for nursing facilities.

5	<b>GENERAL FUND</b>	<b>2013-14</b>	<b>2014-15</b>
6	All Other	\$0	\$13,821,246
7			
8	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$13,821,246</u>

9	<b>FEDERAL EXPENDITURES FUND</b>	<b>2013-14</b>	<b>2014-15</b>
10	All Other	\$0	\$22,357,658
11			
12	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$0</u>	<u>\$22,357,658</u>

13 **Nursing Facilities 0148**

14 Initiative: Adjusts funds to reflect additional nursing home provider tax revenue.

15	<b>GENERAL FUND</b>	<b>2013-14</b>	<b>2014-15</b>
16	All Other	\$0	(\$2,170,734)
17			
18	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>(\$2,170,734)</u>

19	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2013-14</b>	<b>2014-15</b>
20	All Other	\$0	\$2,170,734
21			
22	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>\$2,170,734</u>

23 **Nursing Facilities 0148**

24 Initiative: Provides funds for increased nursing home costs.

25	<b>GENERAL FUND</b>	<b>2013-14</b>	<b>2014-15</b>
26	All Other	\$0	\$406,345
27			
28	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$406,345</u>

1	<b>FEDERAL EXPENDITURES FUND</b>	<b>2013-14</b>	<b>2014-15</b>
2	All Other	\$0	\$939,022
3			
4	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$0</u>	<u>\$939,022</u>
5	<b>HEALTH AND HUMAN SERVICES,</b>		
6	<b>DEPARTMENT OF (FORMERLY DHS)</b>		
7	<b>DEPARTMENT TOTALS</b>	<b>2013-14</b>	<b>2014-15</b>
8			
9	<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$12,056,857</b>
10	<b>FEDERAL EXPENDITURES FUND</b>	<b>\$0</b>	<b>\$23,296,680</b>
11	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$2,170,734</b>
12			
13	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u><b>\$0</b></u>	<u><b>\$37,524,271</b></u>
14			

15 **SUMMARY**

16 This amendment is the unanimous report of the committee. This amendment clarifies  
17 that the rules regarding the principles of reimbursement for nursing facilities must  
18 establish a nursing facility's base year every 2 years and increase the rate of  
19 reimbursement beginning July 1, 2014 and every year thereafter. The amendment also  
20 clarifies that the rate of reimbursement for nursing facilities that results from amending  
21 the rules to reflect rebasing the nursing facility's base year may not result for any nursing  
22 facility in a rate of reimbursement that is lower than the rate in effect on April 1, 2014.  
23 The amendment also clarifies that the rules regarding the principles of reimbursement for  
24 nursing facilities must be amended in Sections 91 and 91.1 to provide for ongoing, annual  
25 rate changes beginning July 1, 2014 to adjust for inflation and to set the inflation  
26 adjustment cost-of-living percentage change in nursing facility reimbursement each year  
27 in accordance with the United States Department of Labor, Bureau of Labor Statistics  
28 Consumer Price Index medical care services index. This amendment replaces the  
29 appropriations and allocations section in the bill.

30 **FISCAL NOTE REQUIRED**

31 **(See attached)**