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Date: (Filing No. H- )

**HEALTH AND HUMAN SERVICES**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
128TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 680, L.D. 967, Bill, “An Act To Ensure Access to Community Services for Persons with Intellectual Disabilities or Autism”

Amend the bill in section 1 in §3195 in subsection 2 in paragraph B in the 4th line (page 2, line 2 in L.D.) by inserting after the following: "program:" the following: 'and'

Amend the bill in section 1 in §3195 in subsection 2 by striking out all of paragraphs C and D (page 2, lines 3 to 11 in L.D.).

Amend the bill in section 1 in §3195 in subsection 2 by relettering the paragraphs to read alphabetically.

Amend the bill by inserting after section 1 the following:

**'Sec. 2. Immediate rate increases.** The Department of Health and Human Services shall increase reimbursement rates in accordance with this section.

**1. Section 21 rules.** No later than October 1, 2017, the Department of Health and Human Services shall amend its rules to increase reimbursement rates by 10% over the reimbursement levels implemented in 2007 pursuant to Public Law 2005, chapter 12, Part CCCC, section 1 for the following procedure codes provided in Chapter 101: MaineCare Benefits Manual, Chapter III, Section 21:

- A. T2017 home support;
- B. T2017 SC home support with medical add-on;
- C. T2017 GT home support - remote support;
- D. T2016 agency home support;
- E. T2016 agency home support over 168 hours;
- F. T2016 SC agency home support with medical add-on;
- G. S5140 shared living foster care, adult, one member;

**COMMITTEE AMENDMENT**

- 1 H. S5140 TG shared living foster care, adult, one member, increased level of
- 2 support;
- 3 I. S5140 UN shared living foster care, adult, 2 members;
- 4 J. S5140 UN TG shared living foster care, adult, 2 members, increased level of
- 5 support;
- 6 K. T2021 community support;
- 7 L. T2021 SC community support with medical add-on;
- 8 M. T2015 career planning;
- 9 N. T2019 employment specialist services;
- 10 O. T2019 SC employment specialist services with medical add-on;
- 11 P. H2023 work support, individual;
- 12 Q. H2023 SC work support with medical add-on;
- 13 R. H2023 UN work support, group, 2 members;
- 14 S. H2023 UP work support, group, 3 members;
- 15 T. H2023 UQ work support, group, 4 members;
- 16 U. H2023 UR work support, group, 5 members;
- 17 V. H2023 US work support, group, 6 members; and
- 18 W. T2034 crisis intervention services.

19 **2. Section 29 rules.** No later than October 1, 2017, the Department of Health and  
20 Human Services shall amend its rules to increase reimbursement rates by 10% over the  
21 reimbursement levels implemented in 2007 pursuant to Public Law 2005, chapter 12, Part  
22 CCCC, section 1 for the following procedure codes provided in Chapter 101: MaineCare  
23 Benefits Manual, Chapter III, Section 29:

- 24 A. T2017 home support, 1/4 hour;
- 25 B. T2017 GT home support, remote support;
- 26 C. T2021 community support;
- 27 D. T2021 SC community support with medical add-on;
- 28 E. T2019 employment specialist services;
- 29 F. T2019 SC employment specialist services with medical add-on;
- 30 G. H2023 work support, individual;
- 31 H. H2023 SC work support - supported employment with medical add-on;
- 32 I. H2023 UN work support, group, 2 members;
- 33 J. H2023 UP work support, group, 3 members;
- 34 K. H2023 UQ work support, group, 4 members;
- 35 L. H2023 UR work support, group, 5 members;
- 36 M. H2023 US work support, group, 6 members;

- 1 N. T2015 career planning;
- 2 O. S5150 respite, 1/4 hour; and
- 3 P. S5151 respite, per diem.

4 **3. Major substantive rules.** Rules adopted pursuant to this section are major  
 5 substantive rules as defined in the Maine Revised Statutes, Title 5, chapter 375,  
 6 subchapter 2-A.

7 **Sec. 3. Savings efforts.** The Department of Health and Human Services and  
 8 representatives of organizations of providers of community support services for  
 9 individuals with intellectual disabilities and autism shall examine current reimbursement  
 10 rates, costs of providing services, labor costs and administrative overhead costs to  
 11 determine opportunities for efficiencies and savings. The department and providers shall  
 12 present a report to the Joint Standing Committee on Health and Human Services with  
 13 findings no later than January 1, 2018.

14 **Sec. 4. Appropriations and allocations.** The following appropriations and  
 15 allocations are made.

16 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)**

17 **Developmental Services Waiver - MaineCare 0987**

18 Initiative: Provides appropriations due to a change in the rates provided for home-based  
 19 and community-based care for individuals with intellectual disabilities or autism.

20	<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
21	All Other	\$23,363,478	\$23,371,358
22			
23	GENERAL FUND TOTAL	<u>\$23,363,478</u>	<u>\$23,371,358</u>

24 **Developmental Services Waiver - Supports Z006**

25 Initiative: Provides appropriations due to a change in the rates provided for home-based  
 26 and community-based care for individuals with intellectual disabilities or autism.

27	<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
28	All Other	\$3,159,904	\$3,160,970
29			
30	GENERAL FUND TOTAL	<u>\$3,159,904</u>	<u>\$3,160,970</u>

31 **Medicaid Services - Developmental Services 0705**

32 Initiative: Provides allocations due to a change in the rates provided for home-based and  
 33 community-based care for individuals with intellectual disabilities or autism.

1	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
2	All Other	\$5,367,295	\$5,367,295
3			
4	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$5,367,295</u>	<u>\$5,367,295</u>

5	<b>HEALTH AND HUMAN SERVICES,</b>		
6	<b>DEPARTMENT OF (FORMERLY BDS)</b>		
7	<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
8			
9	<b>GENERAL FUND</b>	<b>\$26,523,382</b>	<b>\$26,532,328</b>
10	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$5,367,295</b>	<b>\$5,367,295</b>
11			
12	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u><b>\$31,890,677</b></u>	<u><b>\$31,899,623</b></u>

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

14 **Medical Care - Payments to Providers 0147**

15 Initiative: Provides allocations due to a change in the rates provided for home-based and  
16 community-based care for individuals with intellectual disabilities or autism.

17	<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
18	All Other	\$57,564,238	\$57,555,293
19			
20	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$57,564,238</u>	<u>\$57,555,293</u>

21 **Office of MaineCare Services 0129**

22 Initiative: Provides appropriations and allocations for the Department of Administrative  
23 and Financial Services, Office of Information Technology to update and test changes to  
24 the Enterprise Information System.

25	<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
26	All Other	\$38,160	\$0
27			
28	<b>GENERAL FUND TOTAL</b>	<u>\$38,160</u>	<u>\$0</u>

29	<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
30	All Other	\$38,160	\$0
31			
32	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$38,160</u>	<u>\$0</u>

1	<b>HEALTH AND HUMAN SERVICES,</b>		
2	<b>DEPARTMENT OF (FORMERLY DHS)</b>		
3	<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
4			
5	<b>GENERAL FUND</b>	<b>\$38,160</b>	<b>\$0</b>
6	<b>FEDERAL EXPENDITURES FUND</b>	<b>\$57,602,398</b>	<b>\$57,555,293</b>
7			
8	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b><u>\$57,640,558</u></b>	<b><u>\$57,555,293</u></b>
9	<b>SECTION TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
10			
11	<b>GENERAL FUND</b>	<b>\$26,561,542</b>	<b>\$26,532,328</b>
12	<b>FEDERAL EXPENDITURES FUND</b>	<b>\$57,602,398</b>	<b>\$57,555,293</b>
13	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$5,367,295</b>	<b>\$5,367,295</b>
14			
15	<b>SECTION TOTAL - ALL FUNDS</b>	<b><u>\$89,531,235</u></b>	<b><u>\$89,454,916</u></b>
16			

**SUMMARY**

This amendment directs the Department of Health and Human Services to increase reimbursement rates by 10% over the reimbursement levels implemented in 2007 pursuant to Public Law 2005, chapter 12, Part CCCC, section 1 for services provided under Chapter 101: MaineCare Benefits Manual, Chapter III, Sections 21 and 29 no later than October 1, 2017. The amendment narrows the services that are reimbursed to codes that provide direct support services to the MaineCare members receiving services under the waiver programs. It also directs the department and representatives of organizations of providers of community support services for individuals with intellectual disabilities and autism to examine reimbursement rates, costs of providing services and other costs to determine opportunities for efficiencies and savings. The department and the providers are required to report findings to the Joint Standing Committee on Health and Human Services no later than January 1, 2018. This amendment also adds an appropriations and allocations section.

**FISCAL NOTE REQUIRED**

**(See attached)**