

STATE OF MAINE

—  
IN THE YEAR OF OUR LORD  
TWO THOUSAND TWENTY-ONE

—  
S.P. 272 - L.D. 684

**Resolve, To Amend MaineCare Reimbursement Provisions Governing Supplemental Payments to Nursing Facilities with High MaineCare Use**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas**, under the current MaineCare program for reimbursing a nursing facility, to be eligible for a supplemental payment, the nursing facility must have base year direct and routine aggregate costs per day that are less than the median aggregate direct and routine allowable costs for the facility's peer group; and

**Whereas**, the people of the State need and deserve financially stable nursing facilities; and

**Whereas**, nursing facilities take care of the most vulnerable and elderly Maine residents and prompt action is needed to support nursing facilities in that endeavor; and

**Whereas**, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

**Sec. 1. Department of Health and Human Services to amend payments to nursing facilities with high MaineCare utilization. Resolved:** That, by July 1, 2021, the Department of Health and Human Services shall amend its rules in Chapter 101, MaineCare Benefits Manual, Chapter III, Section 67, Principles of Reimbursement for Nursing Facilities, governing supplemental payments to nursing facilities where the number of MaineCare residents constitutes more than 80% of the total number of residents to remove the requirement that such nursing facilities have base year direct and routine aggregate costs per day that are less than the median aggregate direct and routine allowable costs for the facility's peer group.

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

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

**Nursing Facilities 0148**

Initiative: Provides funding for the Department of Health and Human Services to amend its rules governing supplemental payments to nursing facilities where the number of MaineCare residents constitutes more than 80% of the total number of residents to remove the requirement that such nursing facilities have base year direct and routine aggregate costs per day that are less than the median aggregate direct and routine allowable costs for the facility's peer group.

<b>GENERAL FUND</b>	<b>2021-22</b>	<b>2022-23</b>
All Other	\$21,592	\$24,185
<b>GENERAL FUND TOTAL</b>	<hr/> \$21,592	<hr/> \$24,185
<b>FEDERAL EXPENDITURES FUND</b>	<b>2021-22</b>	<b>2022-23</b>
All Other	\$53,635	\$51,042
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<hr/> \$53,635	<hr/> \$51,042
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2021-22</b>	<b>2022-23</b>
All Other	\$4,802	\$4,802
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<hr/> \$4,802	<hr/> \$4,802

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.