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Date: (Filing No. S- )

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

**STATE OF MAINE  
SENATE  
128TH LEGISLATURE  
SECOND SPECIAL SESSION**

SENATE AMENDMENT “ ” to COMMITTEE AMENDMENT “A” to H.P. 292, L.D. 401, Bill, “An Act To Require Reimbursement to Hospitals for Patients Awaiting Placement in Nursing Facilities”

Amend the amendment by striking out all of section 1 and inserting the following:

'Sec. 1. 22 MRSA §3174-AAA is enacted to read:

**§3174-AAA. Reimbursement for days awaiting placement; reimbursement for hospitals other than critical access hospitals**

Beginning January 1, 2019, the department shall provide reimbursement to hospitals other than critical access hospitals for each day after the 10th day that a MaineCare-eligible individual is in the care of a hospital while awaiting placement in a nursing facility. The department shall reimburse hospitals prospectively at the statewide average rate per MaineCare member day for nursing facility services. The department shall compute the statewide average rate per MaineCare member day based on the simple average of the nursing facility rate per MaineCare member day for the applicable state fiscal year or years prorated for the hospital's fiscal year. Reimbursement for days awaiting placement pursuant to this section is limited to a maximum of \$500,000 of combined General Fund funds and federal funds for each year. For purposes of this section, "critical access hospital" has the same meaning as in section 7932, subsection 10.

This section is repealed December 31, 2023.'

Amend the amendment by inserting after section 1 the following:

'Amend the bill in section 2 in the 4th line by striking out the following: "3174-ZZ" and inserting the following: '3174-AAA"

Amend the amendment by striking out all of section 3 and inserting the following:

'Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

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

1 Initiative: Provides funds to provide reimbursement to hospitals other than critical access  
2 hospitals for each day after the 10th day that a MaineCare-eligible individual is in the  
3 care of a hospital while awaiting placement in a nursing facility.

4	<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
5	All Other	\$0	\$17,690
6			
7	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$17,690</u>

8	<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
9	All Other	\$0	\$31,932
10			
11	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$31,932</u>
12			

13 **SUMMARY**

14 This amendment delays, from January 1, 2018 to January 1, 2019, the date by which  
15 the Department of Health and Human Services must begin reimbursing a hospital for the  
16 days a MaineCare-eligible individual is in the care of the hospital while awaiting  
17 placement in a nursing facility. It also removes the amounts appropriated and allocated in  
18 fiscal year 2017-18 and revises the amounts appropriated and allocated in fiscal year  
19 2018-19. It also makes a technical change to a section number.

20 **FISCAL NOTE REQUIRED**

21 **(See attached)**

22 SPONSORED BY: \_\_\_\_\_

23 (Senator HAMPER)

24 COUNTY: Oxford