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Date: (Filing No. S- )

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

**STATE OF MAINE  
SENATE  
131ST LEGISLATURE  
SECOND REGULAR SESSION**

SENATE AMENDMENT “ ” to COMMITTEE AMENDMENT “A” to S.P. 948, L.D. 2217, “An Act to Strengthen the Maine Veterans' Homes with Increased and Ongoing Funding”

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

'Amend the bill by striking out the title and substituting the following:

**'Resolve, to Require the Department of Health and Human Services to Amend Its MaineCare Reimbursement Rules to Provide Reimbursement to Veterans' Facilities on a Per Resident Basis'**

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

**'Sec. 1. Department of Health and Human Services to amend MaineCare rules regarding veterans' facilities. Resolved:** That 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, and Section 97, Appendix C, Principles of Reimbursement for Medical and Remedial Service Facilities, as follows.

**1. Per resident basis.** The rules must provide that veterans' facilities are reimbursed on a per resident daily rate basis for services to residents covered under the United States Social Security Act, Title XIX at all Maine Veterans' Homes facilities at the locations required by the Maine Revised Statutes, Title 37-B, section 601, subsection 2. The rate calculation must result in reimbursement of the portion of the total allowable cost of operating each veterans' facility attributable to the provision of services to residents who receive MaineCare benefits.

**2. Inflation adjustment.** The rules must contain an annual inflation adjustment provision.

**3. Calculation of per resident daily rate; limitation.** Comparison data with other states' veterans' home programs and appropriate price indices may be used in deriving the per resident daily rate, as long as the application of comparison data and price indices does not reduce reimbursement below the MaineCare portion of total allowable costs as described in subsections 1 and 2.

**SENATE AMENDMENT**

1           **4. Use of 3rd party.** The department may use a 3rd party to derive or review the per  
 2 resident daily rate.

3           As used in this section, "veterans' facility" means a nursing facility, medical and  
 4 remedial facility or multilevel health care facility operated by the Maine Veterans' Homes  
 5 and "multilevel health care facility" has the same meaning as in the Maine Revised Statutes,  
 6 Title 22, section 7852, subsection 10-A.

7           **Sec. 2. Appropriations and allocations.** The following appropriations and  
 8 allocations are made.

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

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

11          Initiative: Provides funding to ensure that Maine Veterans' Homes nursing facilities are  
 12 reimbursed a per resident daily rate for services that include the total allowable cost of  
 13 operating a veterans' home and it must also include an annual inflation adjustment  
 14 provision.

15	<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
16	All Other	\$0	\$922,940
17			
18	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$922,940</u>

20	<b>FEDERAL EXPENDITURES FUND</b>	<b>2023-24</b>	<b>2024-25</b>
21	All Other	\$0	\$1,840,881
22			
23	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$1,840,881</u>

25	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2023-24</b>	<b>2024-25</b>
26	All Other	\$0	\$264,886
27			
28	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$264,886</u>

29          **Nursing Facilities 0148**

30          Initiative: Provides funding to ensure that Maine Veterans' Homes nursing facilities are  
 31 reimbursed a per resident daily rate for services that include the total allowable cost of  
 32 operating a veterans' home and it must also include an annual inflation adjustment  
 33 provision.

34	<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
35	All Other	\$0	\$2,792,478
36			
37	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$2,792,478</u>

39	<b>FEDERAL EXPENDITURES FUND</b>	<b>2023-24</b>	<b>2024-25</b>
40	All Other	\$0	\$5,569,834
41			
42	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$5,569,834</u>

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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2023-24</b>	<b>2024-25</b>
All Other	\$0	\$533,765
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$533,765</b>
<b>PNMI Room and Board Z009</b>		
Initiative: Provides funding to ensure that Maine Veterans' Homes nursing facilities are reimbursed a per resident daily rate for services that include the total allowable cost of operating a veterans' home and it must also include an annual inflation adjustment provision.		
<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
All Other	\$0	\$1,386,060
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$1,386,060</b>
<b>HEALTH AND HUMAN SERVICES, DEPARTMENT OF DEPARTMENT TOTALS</b>		
	<b>2023-24</b>	<b>2024-25</b>
<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$5,101,478</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>\$0</b>	<b>\$7,410,715</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$798,651</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$13,310,844</b>

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

**SUMMARY**

This amendment replaces the bill and Committee Amendment "A" with a resolve requiring the Department of Health and Human Services to amend its MaineCare rules regarding reimbursement rates for nursing homes and medical and remedial facilities to require that reimbursement be provided to veterans' facilities on a per resident daily rate basis for services to residents covered under the United States Social Security Act, Title XIX at all Maine Veterans' Homes facilities. The per resident daily rate calculation must result in reimbursement of the portion of the total allowable cost of operating each veterans' facility attributable to the provision of services to residents who receive MaineCare benefits. The rules must contain a requirement that the rates are indexed to inflation. The

1 amendment allows the department to use comparison data to determine the per resident  
2 daily rate or to contract with a 3rd party to derive or review the per resident daily rate.

3 **SPONSORED BY:** \_\_\_\_\_

4 (Senator HICKMAN, C.)

5 COUNTY: Kennebec