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Date: (Filing No. S-)

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STATE OF MAINE
SENATE
125TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT “ ” to COMMITTEE AMENDMENT “A” to S.P. 600, L.D. 1746, Bill, “An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2012 and June 30, 2013”

Amend the amendment in Part D in section 1 in the 3rd line (page 27, line 28 in amendment) by striking out the following: "\$10,000,000" and inserting the following: '\$13,000,000'

Amend the amendment in Part D by inserting after section 2 the following:

Sec. D-3. Transfer for repayment of federal funds for ineligible MaineCare recipients. Prior to the close of fiscal year 2012-13, if the Commissioner of Health and Human Services and the Commissioner of Administrative and Financial Services determine that the State must reimburse the federal Centers for Medicare and Medicaid Services for costs resulting from the payment of Medicaid funds for ineligible MaineCare recipients for services provided from September 1, 2010 through December 28, 2011, the commissioners may declare a budget emergency and the State Controller shall transfer up to \$3,791,770 from the available balance in the Maine Budget Stabilization Fund established in the Maine Revised Statutes, Title 5, chapter 142 to the Medical Care - Payments to Providers, Federal Expenditures Fund account within the Department of Health and Human Services for federal repayments related to the ineligible MaineCare recipients. Amounts transferred may be expended based on allotment established by financial order approved by the Governor. The Governor shall inform the Legislative Council and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs immediately upon such a transfer from the Maine Budget Stabilization Fund.'

Amend the amendment in Part K in section 1 in the 3rd line (page 31, line 9 in amendment) by striking out the following: "\$500,000" and inserting the following: '\$250,000'

Amend the amendment by inserting after Part HH the following:

SENATE AMENDMENT

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'PART II

Sec. II-1. 5 MRSA §1591, sub-§2, ¶D, as enacted by PL 2011, c. 655, Pt. V, §1, is amended to read:

D. Any balance remaining in the accounts of the Department of Health and Human Services, Mental Health Services - Community program appropriated for the purposes of rental assistance ~~and~~, shelter services and consent decree activities at the end of any fiscal year to be carried forward for use in the next fiscal year for the same purpose.

PART JJ

Sec. JJ-1. Appropriations and allocations. The following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)

Developmental Services Waiver - MaineCare 0987

Initiative: Provides funds to serve individuals on the waiting list for services under the MaineCare Benefits Manual, Chapter II, Section 21, Home and Community Benefits for Members with Intellectual Disabilities or Autistic Disorder.

GENERAL FUND	2011-12	2012-13
All Other	\$0	\$500,000
GENERAL FUND TOTAL	<u>\$0</u>	<u>\$500,000</u>

Mental Health Services - Child Medicaid 0731

Initiative: Reduces funding by reducing optional coverage for children who are behaviorally challenged and who are in a residential setting.

GENERAL FUND	2011-12	2012-13
All Other	\$0	(\$375,000)
GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$375,000)</u>

Mental Health Services - Children 0136

Initiative: Provides funding to offset a deappropriation in Part A of this Act reducing contracts for residential services.

GENERAL FUND	2011-12	2012-13
All Other	\$0	\$1,250,000
	<u> </u>	<u> </u>

1	GENERAL FUND TOTAL	\$0	\$1,250,000
2	HEALTH AND HUMAN SERVICES,		
3	DEPARTMENT OF (FORMERLY BDS)		
4	DEPARTMENT TOTALS	2011-12	2012-13
5			
6	GENERAL FUND	\$0	\$1,375,000
7			
8	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$1,375,000

9 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**
 10 **Medical Care - Payments to Providers 0147**
 11 Initiative: Provides funds to offset a 10% rate reduction for adult family care services in
 12 Public Law 2011, chapter 477, Part M.

13	GENERAL FUND	2011-12	2012-13
14	All Other	\$0	\$22,007
15			
16	GENERAL FUND TOTAL	\$0	\$22,007

17	FEDERAL EXPENDITURES FUND	2011-12	2012-13
18	All Other	\$0	\$37,908
19			
20	FEDERAL EXPENDITURES FUND TOTAL	\$0	\$37,908

21 **Medical Care - Payments to Providers 0147**
 22 Initiative: Provides funds to serve individuals on the waiting list for services under the
 23 MaineCare Benefits Manual, Chapter II, Section 21, Home and Community Benefits for
 24 Members with Intellectual Disabilities or Autistic Disorder.

25	FEDERAL EXPENDITURES FUND	2011-12	2012-13
26	All Other	\$0	\$861,285
27			
28	FEDERAL EXPENDITURES FUND TOTAL	\$0	\$861,285

29 **Medical Care - Payments to Providers 0147**
 30 Initiative: Reduces funding by reducing optional coverage for children who are
 31 behaviorally challenged and who are in a residential setting.

1	FEDERAL EXPENDITURES FUND	2011-12	2012-13
2	All Other	\$0	(\$645,964)
3			
4	FEDERAL EXPENDITURES FUND TOTAL	\$0	(\$645,964)
5	HEALTH AND HUMAN SERVICES,		
6	DEPARTMENT OF (FORMERLY DHS)		
7	DEPARTMENT TOTALS	2011-12	2012-13
8			
9	GENERAL FUND	\$0	\$22,007
10	FEDERAL EXPENDITURES FUND	\$0	\$253,229
11			
12	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$275,236
13	SECTION TOTALS	2011-12	2012-13
14			
15	GENERAL FUND	\$0	\$1,397,007
16	FEDERAL EXPENDITURES FUND	\$0	\$253,229
17			
18	SECTION TOTAL - ALL FUNDS	\$0	\$1,650,236
19			

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

22 **SUMMARY**

23 This amendment does the following.

24 It amends Part D of Committee Amendment "A" to transfer \$13,000,000 from the
25 General Fund unappropriated surplus to the Maine Budget Stabilization Fund during
26 fiscal year 2012-13. It provides for a method of repayment of federal funds received for
27 ineligible MaineCare recipients.

28 It amends Part K of Committee Amendment "A" to reduce by \$250,000 the transfer
29 from the Ground Water Oil Clean-up Fund, Other Special Revenue Funds account in the
30 Department of Environmental Protection to General Fund unappropriated surplus at the
31 close of fiscal year 2012-13.

32 It adds a Part II that requires that any balances of appropriations provided for consent
33 decree activities in the Department of Health and Human Services, Mental Health
34 Services - Community program carry forward at the end of each fiscal year to be used in
35 the next fiscal year for the same purpose.

36 It adds a Part JJ that:

- 37 1. Provides funds to serve individuals on the waiting list for services for individuals
38 with intellectual disabilities or autism;

- 1 2. Reduces funding for behaviorally challenged children in a residential setting;
- 2 3. Provides funds to offset a deappropriation in Committee Amendment "A"; and
- 3 4. Provides funds to offset a 10% rate reduction in adult family care services in
- 4 Public Law 2011, chapter 477.

5 **FISCAL NOTE REQUIRED**

6 **(See attached)**

7 SPONSORED BY: _____

8 (Senator ROSEN, R.)

9 COUNTY: Hancock