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Date: (Filing No. H- )

**HEALTH AND HUMAN SERVICES**

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
130TH LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 875, L.D. 1197, “Resolve, To Require Continued MaineCare Reimbursement to Nursing Facilities for Bed Hold Days during Hospitalizations and Therapeutic Leaves of Absence”

Amend the resolve in section 1 in the 3rd line (page 1, line 3 in L.D.) by striking out the following: "October 6, 2020" and inserting the following: 'July 1, 2021'

Amend the resolve in section 1 in the 4th line (page 1, line 4 in L.D.) by striking out the following: "bed holds" and inserting the following: 'bed hold days'

Amend the resolve by inserting after section 1 the following:

**'Sec. 2. Department of Health and Human Services to seek federal approval. Resolved:** That the Department of Health and Human Services shall submit a request for approval for a state plan amendment to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to implement section 1 of this resolve. The department shall submit the request for approval for a state plan amendment no later than 6 months after the effective date of this resolve.

**Sec. 3. Rulemaking. Resolved:** That the Department of Health and Human Services shall adopt rules in accordance with section 1 of this resolve no later than 6 months after receiving the necessary approval pursuant to section 2 from the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services. Rules adopted pursuant to this section are routine technical rules pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

**Sec. 4. Contingent effective date. Resolved:** That section 1 of this resolve takes effect only if the necessary approval sought pursuant to section 2 of this resolve is received. The Commissioner of Health and Human Services shall notify the Secretary of State, Secretary of the Senate, Clerk of the House of Representatives and Revisor of Statutes when the approval sought under section 2 has been received.

**Sec. 5. Appropriations and allocations. Resolved:** That the following appropriations and allocations are made.

**COMMITTEE AMENDMENT**

1 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**  
2 **Nursing Facilities 0148**

3 Initiative: Provides funding to continue to provide reimbursement under the MaineCare  
4 program to nursing facilities for direct costs on bed holds during hospitalizations and  
5 therapeutic leaves of absence.

6 <b>GENERAL FUND</b>	<b>2021-22</b>	<b>2022-23</b>
7 All Other	\$753,970	\$753,970
8		
9 GENERAL FUND TOTAL	<u>\$753,970</u>	<u>\$753,970</u>

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11 <b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2021-22</b>	<b>2022-23</b>
12 All Other	\$48,126	\$48,126
13		
14 OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$48,126</u>	<u>\$48,126</u>

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16 Amend the resolve by relettering or renumbering any nonconsecutive Part letter or  
17 section number to read consecutively.

18

**SUMMARY**

19 This amendment changes the date from which direct costs on bed hold days incurred  
20 by nursing facilities may be reimbursed from October 6, 2020 to July 1, 2021. It requires  
21 the Department of Health and Human Services to submit a request for approval for a state  
22 plan amendment to implement the provision for nursing facilities to reimburse for direct  
23 costs for bed hold days. Reimbursement for such costs may be made only if a state plan  
24 amendment is approved by the United States Department of Health and Human Services,  
25 Centers for Medicare and Medicaid Services. It also adds an appropriations and allocations  
26 section.

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**FISCAL NOTE REQUIRED**

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**(See attached)**