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Testimony of the Office of MaineCare Services
Department of Health and Human Services

Before the Joint Standing Committee on Health and Human Services

In Support of LD 432 *An Act to Clarify MaineCare Program Requirements Regarding Certain High-risk Health Care Providers*
Presented by: Representative Madigan

Hearing Date: March 17, 2023

Senator Baldacci, Representative Meyer, and Members of the Joint Standing Committee on Health and Human Services, my name is Bill Logan. I am the Director of Compliance for the Office of MaineCare Services. I am here today to introduce and speak in support of LD 432, *An Act to Clarify MaineCare Program Requirements Regarding Certain High-risk Health Care Providers*. Thank you to Representative Madigan for sponsoring this Department bill.

This Department bill was submitted to comply with federal requirements, 42 CFR 455.434. It clarifies the MaineCare program requirements regarding certain high-risk providers. It also requires a person with a certain level of ownership interest in a high-risk provider to submit to a fingerprint-based criminal history record background check.

The Federal Bureau of Identification has denied the State's request for access to the FBI's criminal background database necessary to comply with 42 CFR 455.434, as it is now requiring that the categories of persons subject to such a check be explicitly enumerated in statute. LD 432 will take the existing regulatory language in the MaineCare Benefits Manual defining who may be designated as "high-risk" and place it into the statute. This language is consistent with federal regulations defining high-risk providers.

I will be happy to answer any questions you have and will plan to attend the work session.