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March 28, 2023

Senator Joseph Baldacci, Chair  
Representative Michele Meyer, Chair  
Members, Joint Standing Committee on Health and Human Services  
100 State House Station  
Augusta, ME 04333-0100

Re: LD 199 – *An Act to Improve the Health of Maine Residents by Removing Exclusions to the MaineCare Program*

Senator Baldacci, Representative Meyer, and Members of the Joint Standing Committee on Health and Human Services:

This letter is to provide you with information that might be helpful to you in your deliberations regarding LD 199. The proposed legislation provides MaineCare coverage for non-citizens who are ineligible for existing coverage due to federal restrictions on Medicaid eligibility. It also directs the Department to seek available federal matching funds through waivers or state plan amendments to the Centers for Medicaid and Medicare Services (CMS).

Maine currently provides full coverage to all federally-approved qualified non-citizens (42 CFR 435.406), including electing to cover optional groups of lawfully present individuals under the age of 21 and pregnant women. In August 2022, MaineCare coverage was extended to individuals under the age of 21 and pregnant women who do not have a federally approved qualified immigration status. Other non-citizens who would qualify for Medicaid but for their immigration status, are provided limited coverage of emergency medical services.

As federal law does not provide options via state plan amendment or waiver to extend Medicaid coverage to individuals who do not have a qualifying immigration status, expanding full coverage to this population would require state general funds. Additionally, there will be a cost to changes required in the eligibility and claims system to accommodate this policy change. January 1, 2024 is not a feasible implementation date. This policy change would require 12 to 18 months at minimum to implement.

Finally, while some states provide coverage to certain age groups within this population, most do not and we are unaware of other New England states that cover this population.

We wanted you to be aware of the above information as you consider this bill going forward. If you have any further questions, please feel free to contact me.

Sincerely,  
DocuSigned by:

A handwritten signature in blue ink, appearing to read "Anthony Pelotte".

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Anthony Pelotte, Director  
Office for Family Independence