

Date:

(Filing No. H-)

HEALTH AND HUMAN SERVICES

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STATE OF MAINE HOUSE OF REPRESENTATIVES 132ND LEGISLATURE FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to H.P. 115, L.D. 182, “An Act to Require the Department of Health and Human Services to Establish MaineCare Reimbursement Rates for the Maine Veterans' Homes on a Per Resident Basis”

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

'An Act to Provide Per Diem Payments for MaineCare Residents of the Maine Veterans' Homes'

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

'Sec. 1. 22 MRSA §1708-A is enacted to read:

§1708-A. Per diem payments to Maine Veterans' Homes

Services provided by a veterans' facility must be reimbursed by the MaineCare program at rates established by the department in accordance with this section. This section applies to rates that are paid from all funds, including federal funds, by an agency of the State to a veterans' facility for resident care.

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Multilevel health care facility" has the same meaning as in section 7852, subsection 10-A.

B. "Nursing home" has the same meaning as in section 1812-A.

C. "Residential care facility" has the same meaning as in section 7852, subsection 14.

D. "Veterans' facility" means a nursing home, residential care facility or multilevel health care facility that is operated by the Maine Veterans' Homes at any location required under Title 37-B, section 601, subsection 2.

2. Per resident basis. Veterans' facilities must be reimbursed on a per resident daily rate basis for services to residents covered by the MaineCare program.

3. Rate calculations. Different rates must be established for nursing home services and residential care facility services provided by a veterans' facility.

A. For nursing homes, rate calculations under this section must follow the process and principles established in section 3173-J to determine a daily rate that is reasonable and adequate to cover the MaineCare allowable costs of operating a nursing home operated by the Maine Veterans' Homes to reflect any meaningful cost differences between veterans' and nonveterans' nursing home costs for the direct care and routine care cost components of the daily rate. Adjustments to rates and reimbursement for purposes that include, but are not limited to, audit procedures, quality and case mix must be made in the same manner as those adjustments are made for all other nursing homes as established in department rule.

B. For residential care facilities, rate calculations under this section must include an add-on per diem rate that is reasonable and adequate to cover the demonstrated MaineCare allowable costs of operating veterans' facilities that are residential care facilities when provided in addition to the per diem rates already established under MaineCare rules for reimbursement of residential care facilities. The add-on amounts are subject to cost settlement so that total reimbursement does not exceed MaineCare allowable costs for each facility.

4. Annual adjustments for inflation. The per diem rates must be annually adjusted for inflation to the same extent that MaineCare reimbursement rates for other nursing homes and residential care facilities that are not operated by the Maine Veterans' Homes are adjusted.

Sec. 2. Supplemental payments previously appropriated. Upon implementation of the rate calculations process established in the Maine Revised Statutes, Title 22, section 1708-A, any supplemental funding allocated or appropriated for the Maine Veterans' Homes in Public Law 2023, chapter 412 that has not been expended may not be used as supplemental payments but may be used for the purposes of this Act.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF

Medical Care - Payments to Providers 0147

Initiative: Provides funding for per diem payments to the Maine Veterans' Homes facilities for services provided to MaineCare members.

GENERAL FUND	2025-26	2026-27
All Other	\$1,203,116	\$1,261,053
GENERAL FUND TOTAL	\$1,203,116	\$1,261,053

FEDERAL EXPENDITURES FUND	2025-26	2026-27
All Other	\$1,920,237	\$1,951,003
FEDERAL EXPENDITURES FUND TOTAL	\$1,920,237	\$1,951,003

Nursing Facilities 0148

Initiative: Provides funding for per diem payments to the Maine Veterans' Homes facilities for services provided to MaineCare members.

GENERAL FUND	2025-26	2026-27
All Other	\$906,612	\$1,065,141
GENERAL FUND TOTAL	\$906,612	\$1,065,141

FEDERAL EXPENDITURES FUND	2025-26	2026-27
All Other	\$1,631,384	\$1,813,349
FEDERAL EXPENDITURES FUND TOTAL	\$1,631,384	\$1,813,349

OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
All Other	\$162,180	\$183,913
OTHER SPECIAL REVENUE FUNDS TOTAL	\$162,180	\$183,913

PNMI Room and Board Z009

Initiative: Provides funding for per diem payments to the Maine Veterans' Homes facilities for services provided to MaineCare members.

GENERAL FUND	2025-26	2026-27
All Other	\$3,346,150	\$3,441,181
GENERAL FUND TOTAL	\$3,346,150	\$3,441,181

HEALTH AND HUMAN SERVICES, DEPARTMENT OF DEPARTMENT TOTALS

	2025-26	2026-27
GENERAL FUND	\$5,455,878	\$5,767,375
FEDERAL EXPENDITURES FUND	\$3,551,621	\$3,764,352
OTHER SPECIAL REVENUE FUNDS	\$162,180	\$183,913
DEPARTMENT TOTAL - ALL FUNDS	\$9,169,679	\$9,715,640

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

SUMMARY

This amendment replaces the bill and changes the title. The amendment establishes a per diem amount to be paid to the Maine Veterans' Homes facilities for each MaineCare member, in addition to the regular reimbursement for a MaineCare member in a nursing facility or residential care facility. The per diem must be adjusted for inflation to the same

1 extent that nursing facilities and residential care facilities are adjusted. Upon
2 implementation of the rate calculation process established by this legislation, any
3 supplemental payments appropriated for the Maine Veterans' Homes in Public Law 2023,
4 chapter 412 that have not been expended may no longer be provided in supplemental
5 payments but may be used for the purposes of this legislation. The amendment also adds
6 an appropriations and allocations section.

7 **FISCAL NOTE REQUIRED**

8 **(See attached)**