

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Improve MaineCare and Promote Employment**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 22 MRSA §3174-G, sub-§1, ¶E**, as amended by PL 2003, c. 469, Pt. A, §5 and affected by c. 673, Pt. Y, §3, is further amended to read:

E. The parent or caretaker relative of a child described in paragraph B or D when the child's family income is equal to or below 200% of the nonfarm income official poverty line, subject to adjustment by the commissioner under this paragraph. Medicaid services provided under this paragraph must be provided within the limits of the program budget. Funds appropriated for services under this paragraph must include an annual inflationary adjustment equivalent to the rate of inflation in the Medicaid program. On a quarterly basis, the commissioner shall determine the fiscal status of program expenditures under this paragraph. If the commissioner determines that expenditures will exceed the funds available to provide Medicaid coverage pursuant to this paragraph, the commissioner must adjust the income eligibility limit for new applicants to the extent necessary to operate the program within the program budget. If, after an adjustment has occurred pursuant to this paragraph, expenditures fall below the program budget, the commissioner must raise the income eligibility limit to the extent necessary to provide services to as many eligible persons as possible within the fiscal constraints of the program budget, as long as the income limit does not exceed 200% of the nonfarm income official poverty line; ~~and.~~

The parent or caretaker relative described in this paragraph who has received benefits under this chapter in the past 3 months and whose income now exceeds the level in this paragraph may purchase coverage under this chapter for a period of up to 18 months at a premium level that does not exceed the premiums established for MaineCare under the Katie Beckett option authorized by the federal Tax Equity and Fiscal Responsibility Act of 1982 and a contribution toward administrative costs no greater than the maximum level allowed under the federal Consolidated Omnibus Budget Reconciliation Act of 1985;

**Sec. 2. 22 MRSA §3174-G, sub-§1, ¶F**, as amended by PL 2003, c. 469, Pt. A, §5 and affected by c. 673, Pt. Y, §3, is further amended to read:

F. A person 20 to 64 years of age who is not otherwise covered under paragraphs A to E when the person's family income is below or equal to 125% of the nonfarm income official poverty line, provided that the commissioner shall adjust the maximum eligibility level in accordance with the requirements of the paragraph.

(2) If the commissioner reasonably anticipates the cost of the program to exceed the budget of the population described in this paragraph, the commissioner shall lower the maximum eligibility level to the extent necessary to provide coverage to as many persons as possible within the program budget.

(3) The commissioner shall give at least 30 days' notice of the proposed change in maximum eligibility level to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over health and human services matters.;

**Sec. 3. 22 MRSA §3174-G, sub-§1, ¶G** is enacted to read:

G. An adult 19 or 20 years of age when the household income is equal to or below 200% of the nonfarm income official poverty line; and

**Sec. 4. 22 MRSA §3174-G, sub-§1, ¶H** is enacted to read:

H. A qualified working disabled person when the person's family unearned income is equal to or below 150% of the nonfarm income official poverty line and when the total unearned and earned income does not exceed 250% of the nonfarm income official poverty line.

**Sec. 5. 22 MRSA §3174-T, sub-§2, ¶E**, as amended by PL 2001, c. 450, Pt. A, §3, is further amended to read:

E. Coverage under the Cub Care program may be purchased for children described in subparagraphs (1) and (2) for a period of up to 18 months as provided in this paragraph at a premium level that is revenue neutral and that covers the cost of the benefit does not exceed premiums established for MaineCare under the Katie Beckett option authorized by the federal Tax Equity and Fiscal Responsibility Act of 1982 and a contribution toward administrative costs no greater than the maximum level allowable under COBRA. The department shall adopt rules to implement this paragraph. The following children are eligible to enroll under this paragraph:

(1) A child who is enrolled under paragraph A or B and whose family income at the end of the child's 12month enrollment term exceeds the maximum allowable income set in that paragraph; and

(2) A child who is enrolled in the Medicaid program and whose family income exceeds the limits of that program. The department shall terminate Medicaid coverage for a child who enrolls in the Cub Care program under this subparagraph.

**Sec. 6. Rules.** The Department of Health and Human Services shall adopt routine technical rules pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2A to implement this Act.

## SUMMARY

The bill allows people who have received Medicaid for their children for the past 3 months whose income exceeds limits pursuant to Title 22, section 3174G, subsection 1, paragraph E1 to purchase coverage for up to 18 months at premiums not to exceed those under the Katie Beckett program and

limits contributions toward administrative costs to the maximum amount allowed under the federal Consolidated Omnibus Budget Reconciliation Act of 1985.

The bill makes working disabled persons with unearned income that is equal to or below 150% of the nonfarm income official poverty line and with a combined total earned and unearned income that does not exceed 250% of the nonfarm income official poverty line eligible for Medicaid. It makes adults who are 19 or 20 years of age when the household income is equal to or below 200% of the nonfarm income official poverty line eligible for Medicaid.