

## **130th MAINE LEGISLATURE**

## FIRST REGULAR SESSION-2021

**Legislative Document** 

No. 684

S.P. 272

In Senate, March 4, 2021

Resolve, To Amend MaineCare Reimbursement Provisions Governing Supplemental Payments to Nursing Facilities with High MaineCare Use

(EMERGENCY)

Received by the Secretary of the Senate on March 2, 2021. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed.

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DAREK M. GRANT Secretary of the Senate

Presented by Senator TIMBERLAKE of Androscoggin. Cosponsored by Senator: BALDACCI of Penobscot. 1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not 2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** under the current MaineCare program for reimbursing a nursing facility, to 4 be eligible for a supplemental payment, the nursing facility must have base year direct and 5 routine aggregate costs per day that are less than the median aggregate direct and routine 6 allowable costs for the facility's peer group; and

- Whereas, the people of the State need and deserve financially stable nursing facilities;
  and
- 9 Whereas, nursing facilities take care of the most vulnerable and elderly Maine 10 residents and prompt action is needed to support nursing facilities in that endeavor; and

11 **Whereas,** in the judgment of the Legislature, these facts create an emergency within 12 the meaning of the Constitution of Maine and require the following legislation as 13 immediately necessary for the preservation of the public peace, health and safety; now, 14 therefore, be it

15 Sec. 1. Department of Health and Human Services to amend payments to 16 nursing facilities with high MaineCare utilization. Resolved: That, by July 1, 2021, the Department of Health and Human Services shall amend its rules in Chapter 101, 17 MaineCare Benefits Manual, Chapter III, Section 67, Principles of Reimbursement for 18 19 Nursing Facilities, governing supplemental payments to nursing facilities where the 20 number of MaineCare residents constitutes more than 80% of the total number of residents to remove the requirement that such nursing facilities have base year direct and routine 21 22 aggregate costs per day that are less than the median aggregate direct and routine allowable 23 costs for the facility's peer group.

Emergency clause. In view of the emergency cited in the preamble, this legislation
 takes effect when approved.

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## SUMMARY

This resolve requires the Department of Health and Human Services to amend its rules governing supplemental payments to nursing facilities where the number of MaineCare residents constitutes more than 80% of the total number of residents to remove the requirement that such nursing facilities have base year direct and routine aggregate costs per day that are less than the median aggregate direct and routine allowable costs for the facility's peer group.