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Date: (Filing No. H- )

**HEALTH AND HUMAN SERVICES**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
126TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 338, L.D. 488, Bill, “An Act To Improve Access to Home-based and Community-based Care in the MaineCare Program”

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

**'Resolve, Directing the Department of Health and Human Services To Develop a Process To Provide Additional Home-based and Community-based Services in the MaineCare Program'**

Amend the bill by striking out everything after the title and before the summary and inserting the following:

**'Sec. 1. Department of Health and Human Services to provide additional home-based and community-based services in the MaineCare program.**

**Resolved:** That by October 1, 2013 and upon the approval of the federal Department of Health and Human Services, Centers for Medicare and Medicaid Services, the Department of Health and Human Services shall develop a process in the MaineCare home-based and community-based waiver program for the elderly and the disabled to provide additional services for up to 25 unduplicated participants per year whose annual cap on services may exceed the current cap by up to 25% as long as the department determines that such additional services are medically necessary, are likely to delay or prevent the institutionalization of the person and are not likely to result in the cost of services under the waiver for that person exceeding the estimated cost of comparable services in a nursing facility for that person; and be it further

**Sec. 2. Appropriations and allocations. Resolved:** That the following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**

**Medical Care - Payments to Providers 0147**

Initiative: Provides funding for the costs of additional services for up to 25 unduplicated participants per year whose costs exceed the home-based and community-based waiver

**COMMITTEE AMENDMENT**

1 program for the elderly and disabled annual cap on services in order to prevent the  
 2 institutionalization of the participants.

3	<b>GENERAL FUND</b>	<b>2013-14</b>	<b>2014-15</b>
4	All Other	\$93,265	\$124,768
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6	GENERAL FUND TOTAL	<u>\$93,265</u>	<u>\$124,768</u>

7	<b>FEDERAL EXPENDITURES FUND</b>	<b>2013-14</b>	<b>2014-15</b>
8	All Other	\$150,916	\$200,807
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10	FEDERAL EXPENDITURES FUND TOTAL	<u>\$150,916</u>	<u>\$200,807</u>

12 **SUMMARY**

13 This amendment replaces the bill. It requires the Department of Health and Human  
 14 Services to develop a process in the MaineCare home-based and community-based  
 15 waiver program for the elderly and the disabled to provide additional services for up to 25  
 16 unduplicated participants per year whose annual cap on services may exceed the current  
 17 cap as long as the department determines that the additional services are medically  
 18 necessary, are likely to delay or prevent the institutionalization of the person and are not  
 19 likely to result in the cost of the services exceeding the estimated costs of comparable  
 20 services in a nursing facility. The department is required to develop the process, which  
 21 requires the approval of the federal Department of Health and Human Services Centers  
 22 for Medicare and Medicaid Services, by October 1, 2013. The amendment includes an  
 23 appropriations and allocations section.

24 **FISCAL NOTE REQUIRED**

25 (See attached)