



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1839

S.P. 623

In Senate, June 7, 2019

Resolve, To Provide Sustainable Funding for Assisted Living Facilities

(EMERGENCY)

Reported by Senator GRATWICK of Penobscot for the Joint Standing Committee on Health and Human Services pursuant to Joint Rule 353.

Reference to the Committee on Health and Human Services suggested and ordered printed pursuant to Joint Rule 218.

A handwritten signature in dark ink, appearing to read "D M Grant", is positioned above the printed name of the Secretary of the Senate.

DAREK M. GRANT
Secretary of the Senate

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,** assisted living facilities received one-time funding in Public Law 2017,
4 chapter 460 for the 2018-19 fiscal year and additional funding is immediately necessary;
5 and

6 **Whereas,** almost 200 elderly residents of assisted living facilities in Sanford, Saco,
7 Portland, Camden, Augusta, Bangor and Millinocket are vulnerable if additional funding
8 is not immediately provided; and

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

13 **Sec. 1. Department of Health and Human Services to increase**
14 **reimbursement. Resolved:** That, no later than July 1, 2019, the Department of
15 Health and Human Services shall increase the total reimbursement paid to the 7 assisted
16 living facilities that have contracts with the department by \$569,111 in each year.

17 **Sec. 2. Increase to medication passes. Resolved:** That the Department of
18 Health and Human Services shall amend Section 63 of the Office of Elder Services Policy
19 Manual, 10-149 C.M.R. Chapter 5, for residents who reside in one of the assisted living
20 facilities that have contracts with the department to increase the number of medication
21 passes from 3 medication passes per consumer per day to 6 medication passes per
22 consumer per day. Rules adopted pursuant to this section are routine technical rules as
23 defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A. The rules
24 must allow for reimbursement under this section beginning July 1, 2019.

25 **Sec. 3. Appropriations and allocations. Resolved:** That the following
26 appropriations and allocations are made.

27 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

28 **Long Term Care - Office of Aging and Disability Services 0420**

29 Initiative: Provides funding to increase the contracts with the 7 assisted living facilities
30 currently under contract.

31	GENERAL FUND	2019-20	2020-21
32	All Other	\$569,111	\$569,111
33			
34	GENERAL FUND TOTAL	<u>\$569,111</u>	<u>\$569,111</u>

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

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SUMMARY

This emergency bill includes the recommendations of the sustainable funding review conducted by the Department of Health and Human Services pursuant to Public Law 2017, chapter 460, Part H. The bill requires the Department of Health and Human Services, by July 1, 2019, to increase the total reimbursement amount by \$569,111 in each year to the 7 assisted living facilities that have contracts with the department. The Department of Health and Human Services shall also amend its Section 63 rules of the Office of Elderly Services Policy Manual, 10-149 C.M.R. Chapter 5, to increase the number of medication passes per consumer per day from 3 to 6. The rules must allow for reimbursement for this service beginning July 1, 2019.

FISCAL NOTE REQUIRED

(See attached)



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LD 1839

LR 2552(01)

Resolve, To Provide Sustainable Funding for Assisted Living Facilities

Fiscal Note for Original Bill
Committee: Health and Human Services
Fiscal Note Required: Yes

Fiscal Note

	FY 2019-20	FY 2020-21	Projections FY 2021-22	Projections FY 2022-23
Net Cost (Savings)				
General Fund	\$569,111	\$569,111	\$569,111	\$569,111
Appropriations/Allocations				
General Fund	\$569,111	\$569,111	\$569,111	\$569,111

Fiscal Detail and Notes

The bill includes General Fund appropriations to the Department of Health and Human Services of \$569,111 beginning in fiscal year 2019-20 to increase the contracts with the 7 assisted living facilities.