



# 129th MAINE LEGISLATURE

LD 194

LR 1500(03)

## An Act To Allow the Reduction of a MaineCare Lien

### Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Judiciary

Fiscal Note Required: Yes

### Fiscal Note

	FY 2019-20	FY 2020-21	Projections FY 2021-22	Projections FY 2022-23
<b>Net Cost (Savings)</b>				
General Fund	\$0	\$544,200	\$544,650	\$544,650
<b>Appropriations/Allocations</b>				
General Fund	\$0	\$544,200	\$544,650	\$544,650
Federal Expenditures Fund	\$0	\$955,800	\$955,350	\$955,350
<b>Revenue</b>				
Federal Expenditures Fund	\$0	\$955,800	\$955,350	\$955,350

#### Fiscal Detail and Notes

The bill includes General Fund appropriations to the Department of Health and Human Services of \$544,200 in fiscal year 2020-21 due to the elimination of the prohibition on reducing the statutory lien to reflect an assessment of the recipient's attorney's fees or litigation costs. Federal Expenditures Fund allocations are also included for the FMAP match.

The amendment also changes statute to state that the MaineCare lien can only apply to the portion of the award or settlement that is attributable to medical expenses paid by MaineCare. This limitation is already the law based on two Supreme Court decisions, *Arkansas v. Ahlborn*, 547 U.S. 268 (2006) and *Wos v. E.M.A.*, 568 U.S. 627 (2013), so there is no fiscal impact associated with this change.