



# 130th MAINE LEGISLATURE

LD 461

LR 1220(01)

An Act To Allow the Reduction of a MaineCare Lien

Preliminary Fiscal Impact Statement for Original Bill

Sponsor: Rep. Cardone of Bangor

Committee: Judiciary

Fiscal Note Required: Yes

## Preliminary Fiscal Impact Statement

	FY 2021-22	FY 2022-23	Projections FY 2023-24	Projections FY 2024-25
<b>Net Cost (Savings)</b>				
General Fund	\$324,720	\$324,000	\$324,000	\$324,000
<b>Appropriations/Allocations</b>				
General Fund	\$324,720	\$324,000	\$324,000	\$324,000
Federal Expenditures Fund	\$575,280	\$576,000	\$576,000	\$576,000
<b>Revenue</b>				
Federal Expenditures Fund	\$575,280	\$576,000	\$576,000	\$576,000
Other Special Revenue Funds	\$324,720	\$324,000	\$324,000	\$324,000

### Fiscal Detail and Notes

The Department of Health and Human Services will require General Fund appropriations of \$324,720 in fiscal year 2021-22 and \$324,000 in fiscal year 2022-23 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 bill 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.