An Act to Improve the Health of Maine Residents by Removing Exclusions to the MaineCare Program

Reference to the Committee on Health and Human Services suggested and ordered printed.

Presented by Speaker TALBOT ROSS of Portland.
Be it enacted by the People of the State of Maine as follows:

Sec. 1. 22 MRSA §3174-FFF, sub-§1, as enacted by PL 2021, c. 398, Pt. DDD, §1, is amended by enacting at the end a new first blocked paragraph to read:

Notwithstanding any provision of law to the contrary, effective January 1, 2024, a person 21 years of age or older is eligible for the same scope of medical assistance provided under section 3174-G for comparable enrollment groups to a person who would be eligible for assistance under the federal Medicaid program under Title XIX of the federal Social Security Act but for the person’s immigration status. In accordance with 8 United States Code, Section 1621, the State shall appropriate funds in the state budget to provide state-funded medical assistance through the MaineCare program for noncitizen individuals who reside in the State and are ineligible for coverage due to federal restrictions relating to immigration status in the federal Medicaid program. Implementation of coverage required by this section is not contingent on federal approval of any waivers or amendments to the state Medicaid plan for this purpose.

Sec. 2. 22 MRSA §3174-FFF, sub-§1-A is enacted to read:

1-A. Maximization of federal funds. The department shall maximize the receipt of available federal matching funds for coverage provided under this section.

Sec. 3. Federal Medicaid waivers or state plan amendments; funding. The Department of Health and Human Services shall establish coverage under the Maine Revised Statutes, Title 22, section 3174-FFF, subsection 1 as of January 1, 2024 using state funds. The department may seek to acquire matching federal funds under the Medicaid program by submitting to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services any waivers or state plan amendments determined necessary.

Sec. 4. Rulemaking. By January 1, 2024, the Department of Health and Human Services shall adopt rules to implement the Maine Revised Statutes, Title 22, section 3174-FFF, subsection 1, as amended by this Act. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

SUMMARY

This bill provides MaineCare program coverage for noncitizen residents of this State 21 years of age or older with qualifying low incomes who are ineligible for coverage under the federal Medicaid program due to their immigration status.