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Legislative Document

No. 652

H.P. 479

House of Representatives, March 3, 2021

**An Act To Include an Emergency Reimbursement Rate Review
Process in Rate Setting by the Department of Health and Human
Services**

Received by the Clerk of the House on March 1, 2021. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative SACHS of Freeport.
Cosponsored by Representatives: HYMANSON of York, PERRY of Calais, STOVER of Boothbay, TALBOT ROSS of Portland, WOOD of Portland.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §3173**, as amended by PL 1997, c. 676, §1 and PL 2003, c. 689,
3 Pt. B, §6, is further amended by adding after the 15th paragraph a new paragraph to read:

4 The department shall establish a process of emergency reimbursement rate review to
5 be used at times of extraordinary circumstances. The department shall establish in rule
6 standards for extraordinary circumstances and procedures for allowing providers or their
7 representative associations to request an emergency review.

8 **Sec. 2. Department of Health and Human Services to establish emergency**
9 **rate review process.** As part of the efforts of the Department of Health and Human
10 Services to establish a rate-setting procedure, the department shall include a process for
11 emergency reimbursement rate review to be used at times of extraordinary circumstances.
12 The department shall determine what constitutes extraordinary circumstances, except that
13 they must include state and municipal requirements for increased minimum wages and
14 other increases to wages that affect MaineCare reimbursement rates and widespread
15 outbreaks of disease that require additional resources to offer services. The process must
16 include a method for individual providers or their representative associations to request an
17 emergency review, deadlines that ensure a timely response from the department to requests
18 and requirements for clear communications on acceptance or decline of requests for review.

19 **SUMMARY**

20 This bill requires the Department of Health and Human Services to establish a process
21 for emergency reimbursement rate review to be used at times of extraordinary
22 circumstances. This process must be established as part of the current rate review process
23 undertaken by the department.