

## 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

**Legislative Document** 

No. 1214

S.P. 408

In Senate, March 28, 2017

An Act To Create Fairness in Home-based Care Fees for Service

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

HEATHER J.R. PRIEST Secretary of the Senate

Presented by Senator LIBBY of Androscoggin.

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

**Sec. 1. 22 MRSA §7312,** as enacted by PL 2009, c. 279, §4, is amended to read:

## §7312. Rules

The department shall adopt rules as necessary for the effective administration of the program pursuant to this chapter, in accordance with the Maine Administrative Procedure Act. In the development of such rules, the department shall consult with consumers, representatives of consumers and providers. Rules adopted pursuant to this section are major substantive rules as defined by Title 5, chapter 375, subchapter 2-A. Rules adopted pursuant to this section may not require a person receiving services under a state-funded program pursuant to this chapter to make a monthly payment toward the administrative cost of coordination services if an in-home care service was not provided in that month.

12 SUMMARY

This bill provides that rules adopted by the Department of Health and Human Services for the administration of the program for in-home and community support services for the elderly may not require a person receiving services under a state-funded program to make a monthly payment toward the administrative cost of coordination services if an in-home care service was not provided in that month.