1	L.D. 1663
2	Date: (Filing No. S-
3	HEALTH AND HUMAN SERVICES
4	Reproduced and distributed under the direction of the Secretary of the Senate.
5	STATE OF MAINE
6	SENATE
7	126TH LEGISLATURE
8	SECOND REGULAR SESSION
9 10	COMMITTEE AMENDMENT " " to S.P. 658, L.D. 1663, "Resolve, To Terminate a MaineCare Transportation Contract"
11	Amend the resolve by striking out the title and substituting the following:
12	'Resolve, To Require New Contracts for MaineCare Nonemergency Transportation'
13 14	Amend the resolve by striking out everything after the title and before the summary and inserting the following:
15 16	'Emergency preamble. Whereas, acts and resolves of the Legislature do no become effective until 90 days after adjournment unless enacted as emergencies; and
17 18	Whereas, MaineCare members dependent on the nonemergency transportation system are not being adequately served by the current brokerage system; and
19 20 21	Whereas, the contract period for current brokers ends on July 1, 2014, and adequate time is necessary to develop and post a request for proposals, negotiate contracts and implement a system of providers; and
22 23 24 25	Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now therefore, be it
26 27 28 29 30	Sec. 1. Department of Health and Human Services prohibited from renewing MaineCare nonemergency transportation contracts. Resolved: That the Department of Health and Human Services is prohibited from renewing any contract beyond June 30, 2014 in any of the 8 regions established by the Department of Transportation pursuant to the Maine Revised Statutes, Title 23, section 4209, subsection 1 for MaineCare nonemergency transportation; and be it further
32 33 34	Sec. 2. Request for proposals cancelled. Resolved: That the request for proposals #201402685 for MaineCare nonemergency transportation services that was issued February 26, 2014 is cancelled; and be it further

- Sec. 3. New request for proposals to be issued with different requirements. Resolved: That the Department of Health and Human Services shall issue a new request for proposals for MaineCare nonemergency transportation that includes the following priorities.
- 1. The request for proposals must maximize the scoring criteria evaluating a bidder's economic impact on the State's economy and employment.
- 2. The request for proposals must reconnect with existing regional transportation resources and infrastructure.
- 3. The request for proposals must include scoring criteria that penalize any bidders with a previous contract for MaineCare nonemergency transportation services that have a record of poor performance or for whom there was a corrective action plan in place.
- 4. The request for proposals may allow for a transition period of no more than 3 months after June 30, 2014 if it is necessary for the current brokers to continue to provide services on a temporary basis as long as suitable contractual protections are in place; and be it further
- Sec. 4. Department of Health and Human Services to report to the joint standing committee having jurisdiction over health and human services matters. Resolved: That the Department of Health and Human Services shall provide monthly reports that include performance data on the new MaineCare nonemergency transportation system implemented pursuant to this resolve to the joint standing committee of the Legislature having jurisdiction over health and human services matters from one month after the effective date of this resolve until one year after all the contracts are in place.
- **Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.'

26 SUMMARY

This amendment, which is the majority report of the committee, replaces the resolve. It prohibits the Department of Health and Human Services from renewing the contracts for MaineCare nonemergency transportation beyond June 30, 2014. It also cancels the request for proposals that was issued on February 26, 2014. The department is required to develop a new request for proposals that maximizes the scoring criteria evaluating a bidder's economic impact on the Maine economy and employment, reconnects with existing regional transportation resources and infrastructure and penalizes any bidders with a previous contract for MaineCare nonemergency transportation services that have a record of poor performance or for whom there was a corrective action plan in place. The request for proposals must include a transition period of no more than 3 months after June 30, 2014 if it is necessary for the current brokers to continue to provide services on a temporary basis as long as suitable contractual protections are in place. The department is required to provide monthly reports that include performance data on the new system to the joint standing committee of the Legislature having jurisdiction over health and human services matters from one month after the effective date of this resolve until one year after the new contracts are in place.

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COMMITTEE AMENDMENT