

Janet T. Mills  
Governor



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Jeanne M. Lambrew, Ph.D.  
Commissioner

June 2, 2020

Senator Gratwick, Chair  
Representative Hymanson, Chair  
Members, Joint Standing Committee on Health and Human Services  
100 State House Station  
Augusta, ME 04333-0100

Re: LD 84 – *Resolve, Directing the Department of Health and Human Services To Allow Spouses To Provide Home and Community-based Services to Eligible MaineCare Members*

Senator Gratwick, Rep Hymanson, and Members of the Joint Standing Committee on Health and Human Services:

This letter is to provide information regarding LD 84, *Resolve, Directing the Department of Health and Human Services To Allow Spouses To Provide Home and Community-based Services to Eligible MaineCare Members*.

This resolve requires the Department of Health and Human Services to submit a request to the Centers for Medicare and Medicaid Services (CMS) to amend the current federal 1915(c) waiver so that eligible members receiving home and community-based services under the department's rule Chapter 101: MaineCare Benefits Manual, Chapter II, Section 19 will be able to receive services provided by spouses who are employed as personal support specialists to provide those services. It requires the department to amend its rules after the amended waiver approval has been received from the Federal Government. The bill also directed the Department to report back with an interim report by April 30, 2020 outlining the progress of applying for, receiving and implementing the amended 1915(c) waiver.

The Department formally submitted the waiver amendment on December 20, 2019. After discussion and negotiations, the amendment has since been approved by CMS. The approved language has been added to the draft Section 19 rulemaking that will be submitted to the Attorney General's Office for pre-review in the coming weeks. Once the rulemaking is promulgated through the state's Administrative Procedures Act, it will become formally adopted in MaineCare policy with applicable limits and billing guidelines.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michelle Probert'.

Michelle Probert  
Director, Office of MaineCare Services