

# 131<sup>ST</sup> LEGISLATURE

## Northern New England HFMA Legislative Update

Steven Michaud, President  
Maine Hospital Association  
April 11, 2023

# Outline

1. Elections and New Leaders
2. New Legislation
3. Major Issues
4. State Budgets
5. Questions



# 131<sup>st</sup> Legislature

Each “Legislature” meets for a 2-year period.

- Election – November 8, 2022
- First (Long) Session: January to June 2023
- Second (Short) Session: January to April 2024



Maine Hospital Association

# 1. Elections

# 131<sup>st</sup> Legislature

Governor:

Janet Mills – reelected to second term.

Senate (35):

22 Democrats

Senate President

13 Republicans

Troy Jackson

(D: Mattie Daughtry & Eloise Vitelli) (R: Trey Stuart & Lisa Keim)

House (151):

81 Democrats

Speaker of the House

67 Republicans

Rachel Talbot Ross

2 Independents

(D: Mo Terry & Kristen Cloutier) (R: BillyBob Faulkingham & Amy Arata)

# 131<sup>st</sup> Legislature

## Appropriations and Financial Affairs

### Senate

\***Peggy Rotundo, Chair (D-Androscoggin)**

Jill Duson (D-Cumberland)

**Richard Bennett (R-Oxford)**

### House

\*Melanie Sachs, **Chair (D-Freeport)**

**Jessica L. Fay (D-Raymond)**

Benjamin T. Collings (D-Portland)

Ann Higgins Matlack (D-St. George)

Rebecca J. Millett (D-Cape Elizabeth)

Drew Gattine (D-Westbrook)

**H. Sawin Millett (R-Waterford)**

John E. Ducharme (R-Madison)

Mark John Blier (R-Buxton)

Nathan M. Carlow (R-Buxton)

## Health Coverage, Insurance and Financial Services

### Senate

\*Donna Bailey, **Chair (D-York)**

Cameron Reny (D-Lincoln)

**Eric Brakey (R-Androscoggin)**

### House

\*Anne C. Perry, **Chair (D-Calais)**

Poppy Arford (D-Brunswick)

Kristi Michele Mathieson (D-Kittery)

Anne-Marie Mastraccio (D-Sanford)

Jane P. Pringle (D-Windham)

Sally Jeane Cluchey (D-Bowdoinham)

**Joshua Morris (R-Turner)**

Robert W. Nutting (R-Oakland)

Scott Wynn Cyrway (R-Albion)

Gregory Lewis Swallow (R-Houlton)

## Health and Human Services

### Senate

\*Joseph Baldacci, **Chair (D-Penobscot)**

Henry Ingwersen (D-York)

Marianne Moore (R-Washington)

### House

\*Michele Meyer, **Chair (D-Eliot)**

Colleen M. Madigan (D-Waterville)

**Margaret Craven (D-Lewiston)**

Samuel Lewis Zager (D-Portland)

Daniel Joseph Shagoury (D-Hallowell)

Anne P. Graham (D-North Yarmouth)

Kathy Irene Javner (R-Chester)

Abigail W. Griffin (R-Levant)

Michael H. Lemelin (R-Chelsea)

Ann Fredericks (R-Sanford)

## 2. Legislation

# 131<sup>st</sup> Legislature - Bills

No limit on bill submissions.

Over 2,000 bill titles submitted (so far).

1,600 printed so far...MHA tracking 200...slightly higher than our usual rate.

Many will not be acted upon but will be “carried over.”



# 131<sup>st</sup> Legislature - Bills

## MHA Agenda

1. Patients Stuck in Hospitals

Days Awaiting Placement Payment (LD 225)  
*(Amended version received Committee approval)*

2. Violence Against Hospital Workers

Clarifying Felony Assault Law (LD 1119)

3. Carrier Behavior

Carrier Unilateral Policy Changes & BOI Role (LD 1407)

4. Nurse Workforce Legislation

## 3. Major Issues

1. Mandatory, Tax-Funded, Paid FMLA
2. Mandatory Nurse Staffing Ratios
3. “Right to Healthcare” Constitutional Amendment
4. Role of Bureau of Insurance viz. Disputes
5. Other – Healthcare costs, workforce development, behavioral health, vax mandate, med-mal etc. etc.

## 4. State Budget

## SFY 2023 Supplemental Budget

Modest adjustment to spending between now and June, 30.

Two items of interest to hospitals:

1. \$25M one-time payment to hospitals;
2. Directive to DHHS to increase inpatient psychiatric rates.

Also, a \$25M one-time payment to nursing homes.

ENACTED.



## SFY 2024 - 2025 Biennial Budget

700+ page biennial budget.

Proposes total spending of \$5.05B (SFY 24) and \$5.2B (SFY 25)

### Major Increases:

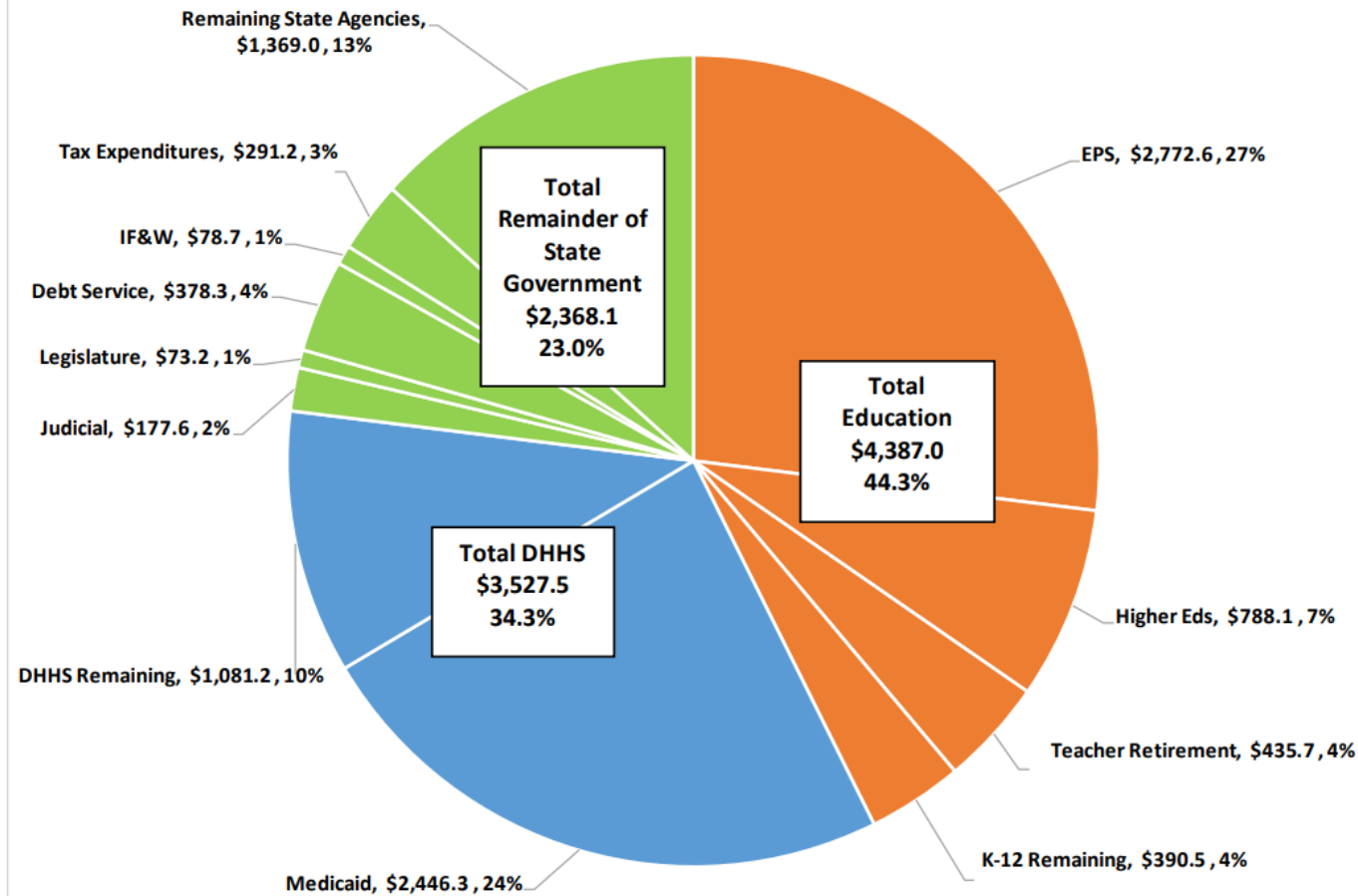
- K-12 Public Education: \$80M (SFY 24) & \$100M (SFY 25)
- Transportation: \$100M & \$100M
- MaineCare (net of savings): \$50M & \$130M
- Other DHHS: \$46M & 34M
- Higher Education: \$23M & \$45M
- State Salaries: \$26M & \$29M
- Debt Service: \$20M & 32M
- Other Spending: \$69M & 51M

# 131<sup>st</sup> Legislature - Budget

2024-2025 Governor's Budget Overview

CHART A-1

2024-2025 Biennium General Fund Recommended Appropriations - \$10,282.5  
(dollars in millions)



## Hospital Issues:

- Updating Medicaid's Reimbursement Rates for Hospital Inpatient Services (DRGs). \$15M per year.  
MHA has asked Legislature to triple that amount.
- Re-Base Hospital Tax  
Will likely not occur as proposed in budget.
- Lots of other smaller or indirect issues.

## Baseline “Majority” Budget Enacted

- No Real Hospital Issues Included
- Legislature “adjourned” on March 28 so that the law could become effective by July 1.
- Legislature reconvened in special session.
- A supplemental budget will get enacted in June.

# Bills of Interest to You

## Timeliness of Payment

- An Act Regarding Timely Payment of Undisputed Insurance Claims
- An Act to Ensure Insurance Companies Reimburse Providers in a Timely Manner
- An Act to Amend the Insurance Code Regarding the Timing of Payments by Health Insurance Carriers to Providers



# Bills of Interest to You

## Prior Authorization Etc.

- An Act to Regulate Carrier Prior Authorization Requirements for Physical and Occupational Therapy Services
- An Act to Empower Health Care Consumers and Require Carriers to Respond to Appeals in a Timely Manner
- An Act to Address Anticompetitive Terms in Health Insurance Provider Contracts
- An Act to Establish Standards for Health Care Utilization Review
- An Act Concerning Prior Authorizations for Health Care Provider Services

# Bills of Interest to You

## Having the Bureau of Insurance Mediate:

- An Act to Create the Office of Health Insurance and Health Care Provider Relations
- An Act to Create an Advocacy and Complaint Process for Providers Within the Bureau of Insurance
- An Act to Ensure Robust Contracts Between Insurers and Providers by Establishing Dispute Resolution Procedures

# Bills of Interest to You

## Fingers Pointed at You:

- An Act to Require Honest Billing by Health Care Providers
- An Act to Cap Medical Billing to One Year
- An Act Regarding Maine Consumers' Comparison Shopping for Certain Health Care Procedures and Lowering Health Care Costs
- An Act to Improve Transparency of Medical Billing
- An Act to Lower the State's Health Care Costs
- An Act to Ensure Lower Costs and Consumer Protections for Patients



Questions?



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