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S.P. 287 In Senate, March 8, 2021

Resolve, To Waive Reductions to Nursing Facility Reimbursement Resulting from Payroll Protection Program Loans and Grants

(EMERGENCY)

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

DAREK M. GRANT
Secretary of the Senate

Presented by Senator BALDACCI of Penobscot.

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Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, nursing facilities are facing increased cost pressures from protecting vulnerable residents from the risks of the coronavirus that causes COVID-19; and

Whereas, nursing facilities are struggling to remain operational and federal Paycheck Protection Program funds are intended to keep facilities operational, and reducing or adjusting allowable MaineCare costs based on Paycheck Protection Program funds the facilities are receiving is counterproductive; and

Whereas, nursing facilities may be filing cost reports prior to 90 days after adjournment; and

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

Sec. 1. Department of Health and Human Services to waive potential reductions from Paycheck Protection Program funds. Resolved: That the Department of Health and Human Services shall waive any reduction or adjustment to allowable MaineCare costs on filed or audited cost reports under department rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 67, Principles of Reimbursement for Nursing Facilities, that would result from the receipt of a loan or grant from the federal Small Business Administration under the Paycheck Protection Program established by the federal Coronavirus Aid, Relief, and Economic Security Act and any subsequent federal Act.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

SUMMARY

This resolve requires the Department of Health and Human Services to waive any reduction or adjustment to allowable MaineCare costs on filed or audited cost reports that would result from a loan or grant received under the federal Paycheck Protection Program.