

The Maine Heritage Policy Center Testimony on LD 78

“An Act To Facilitate Access to the MaineCare Family Planning Benefit”

Senator Gratwick, Representative Hymanson, and members of the Committee on Health and Human Services, my name is Jacob Posik and I serve as Director of Communications at the Maine Heritage Policy Center. Thank you for the opportunity to speak in opposition to LD 78.

The Maine Heritage Policy Center appreciates that the intent of this bill is to expand access to care to vulnerable individuals while their Medicaid applications are being processed, but we have deep concerns that expanding presumptive eligibility to a large new population without creating adequate safeguards could encourage fraud and abuse.

Maine currently only offers presumptive Medicaid eligibility to pregnant women -- one of 30 states to do so.¹ In addition, the Affordable Care Act allows hospitals to make presumptive eligibility determinations. This bill would expand presumptive eligibility to adults and adolescents seeking services like contraception and testing and treatment for sexually transmitted diseases. To our knowledge, no other state has adopted this policy.

This legislation states that if a MaineCare provider determines that an adult or adolescent is “likely” to be eligible for services, that individual is entitled to services -- and the provider is eligible for reimbursement -- until DHHS determines that he or she is ineligible. However, health care providers often lack enough information to make accurate determinations of MaineCare eligibility. In addition, neither patients nor providers would have to repay the costs of services obtained during the presumptive eligibility period even if the individual never completes a Medicaid application or completes the application and is denied coverage. This creates an incentive for benefit recipients to misrepresent their income and for providers to grant presumptive eligibility in borderline cases. It also removes an incentive for members to complete their applications in a timely manner.

Given the potential for fraud and abuse, as well as good-faith errors in eligibility determination, the Maine Heritage Policy Center feels that this bill would put taxpayer dollars at risk and divert resources from other policy priorities.

I urge you to oppose LD 78. Thank you for your attention.

¹ <https://www.kff.org/health-reform/state-indicator/presumptive-eligibility-in-medicaid-chip/?currentTimeframe=0&sortModel=%7B%22colId%22:%22Location%22,%22sort%22:%22asc%22%7D>