

**§3174-KK. MaineCare Stabilization Fund****(REALLOCATED FROM TITLE 22, SECTION 3174-II)**

**1. Fund established.** The MaineCare Stabilization Fund, referred to in this section as "the fund," is established as an Other Special Revenue Funds account for the purposes specified in this section. [RR 2005, c. 1, §7 (RAL).]

**2. Nonlapsing.** Any unexpended balances in the fund may not lapse but must be carried forward. [RR 2005, c. 1, §7 (RAL).]

**3. Fund purposes.** Allocations from the fund must prevent any loss of services or increased cost of services to a MaineCare member or a person receiving benefits under the elderly low-cost drug program under section 254-D that would otherwise result from insufficient General Fund appropriations, insufficient federal matching funds or any other shortage of funds, changes in federal or state law, rule or policy or the implementation of the federal Medicare Prescription Drug, Improvement, and Modernization Act of 2003. [PL 2005, c. 683, Pt. A, §35 (AMD).]

**4. Report by State Controller.** The State Controller shall report at least annually on the fund on or before the 2nd Friday in November to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over health and human services matters. The report must summarize the status of and activity in the fund. [RR 2005, c. 1, §7 (RAL).]

**5. Fund use; notification.** The department shall notify the joint standing committees of the Legislature having jurisdiction over appropriations and financial affairs and health and human services matters each time the department plans to transfer or expend any amount from the fund or otherwise affect the balance in the fund. Notification is required no less than 14 days prior to any transfer or expenditure, unless an emergency proclamation issued under Title 37-B, section 742 is in effect, and must include the amount of funds required and the purpose for which the funds are required. [PL 2021, c. 635, Pt. FF, §1 (NEW).]

**6. Legislative committee review of legislation.** Whenever a proposal in a resolve or bill before the Legislature, including but not limited to a budget bill, affects the fund, the joint standing committee of the Legislature having jurisdiction over the proposal shall hold a public hearing and determine the level of support for the proposal among members of the committee. If there is support for the proposal among a majority of the members of the committee, the committee shall request the joint standing committee of the Legislature having jurisdiction over health and human services matters to review and evaluate the proposal as it pertains to the fund. The joint standing committee of the Legislature having jurisdiction over health and human services matters shall conduct the review and report to the committee of jurisdiction and to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs. [PL 2021, c. 635, Pt. FF, §2 (NEW).]

**SECTION HISTORY**

RR 2005, c. 1, §7 (RAL). PL 2005, c. 683, §A35 (AMD). PL 2021, c. 635, Pt. FF, §§1, 2 (AMD).

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