

# MAINE STATE LEGISLATURE

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# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 1774

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H.P. 1261

House of Representatives, May 23, 2019

### **An Act To Reduce Child Poverty by Leveraging Investments so Families Can Thrive**

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

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Speaker GIDEON of Freeport.  
Cosponsored by President JACKSON of Aroostook and  
Representatives: HYMANSON of York, O'CONNOR of Berwick, STEWART of Presque Isle,  
STOVER of Boothbay, TALBOT ROSS of Portland, Senators: CLAXTON of Androscoggin,  
MOORE of Washington.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §3109** is enacted to read:

3 **§3109. Promoting accountable public programs that reduce poverty, alleviate**  
4 **hardship and increase sustainable employment for low-income families with**  
5 **children**

6 The department shall implement a system of accountability to measure access to and  
7 the performance of certain programs administered by the department under this Subtitle  
8 to ensure that those programs are working effectively to improve the health and well-  
9 being of program participants. The department shall establish improvement targets each  
10 year to ensure that the programs are being accessed by and improving the lives of as  
11 many eligible families and individuals as possible.

12 **1. Definitions.** As used in this section, unless the context otherwise indicates, the  
13 following terms have the following meanings.

14 A. "Federal poverty level" has the same meaning as in section 3762, subsection 1,  
15 paragraph C.

16 B. "Food supplement" means the federal supplemental nutrition assistance program  
17 administered by the State pursuant to section 3104.

18 C. "TANF" has the same meaning as in section 3762, subsection 1, paragraph E.

19 D. "WIC" means the Women, Infants and Children Special Supplemental Food  
20 Program described in section 3107.

21 **2. Identify measures of child and family economic security.** Beginning October  
22 15, 2019 and annually thereafter, the department shall obtain and compile the following  
23 data for the State from those sources reasonably available to the department, including  
24 data collected and maintained by the department, data available from other state or  
25 federal agencies and such other data as can reasonably be obtained from other public or  
26 private sources upon request. The data must include:

27 A. The ratio of families with children receiving TANF cash assistance to the number  
28 of families with children and income at or below 100% of the federal poverty level in  
29 the current year and in the previous 4 years;

30 B. The percentage of children under 5 years of age receiving TANF cash assistance  
31 that also receive assistance from WIC in the current year and in the previous 4 years;

32 C. The percentage of children under 5 years of age receiving food supplement  
33 assistance that also receive assistance from WIC in the current year and in the  
34 previous 4 years;

35 D. For all families for whom TANF cash assistance has terminated:

36 (1) The number and percentage of families with no quarterly earnings from  
37 unsubsidized employment:

38 (a) At the time participation in the program was terminated;

- 1                    (b) During the 2nd quarter after participation in the program was terminated;  
2                    and
- 3                    (c) During the 4th quarter after participation in the program was terminated;
- 4                    (2) The number and percentage of families with quarterly earnings from  
5                    unsubsidized employment that are at least 50% but below 100% of the federal  
6                    poverty level:
- 7                    (a) At the time participation in the program was terminated;
- 8                    (b) During the 2nd quarter after participation in the program was terminated;  
9                    and
- 10                   (c) During the 4th quarter after participation in the program was terminated;
- 11                   (3) The number and percentage of families with quarterly earnings from  
12                   unsubsidized employment that are at least 100% but below 150% of the federal  
13                   poverty level:
- 14                   (a) At the time participation in the program was terminated;
- 15                   (b) During the 2nd quarter after participation in the program was terminated;  
16                   and
- 17                   (c) During the 4th quarter after participation in the program was terminated;
- 18                   (4) The number and percentage of families with quarterly earnings from  
19                   unsubsidized employment that are at least 150% but below 200% of the federal  
20                   poverty level:
- 21                   (a) At the time participation in the program was terminated;
- 22                   (b) During the 2nd quarter after participation in the program was terminated;  
23                   and
- 24                   (c) During the 4th quarter after participation in the program was terminated;
- 25                   (5) The number and percentage of families with quarterly earnings from  
26                   unsubsidized employment that are at least 200% of the federal poverty level:
- 27                   (a) At the time participation in the program was terminated;
- 28                   (b) During the 2nd quarter after participation in the program was terminated;  
29                   and
- 30                   (c) During the 4th quarter after participation in the program was terminated;
- 31                   (6) The mean and median income of families with no quarterly earnings from  
32                   unsubsidized employment:
- 33                   (a) At the time participation in the program was terminated;
- 34                   (b) During the 2nd quarter after participation in the program was terminated;  
35                   and
- 36                   (c) During the 4th quarter after participation in the program was terminated;  
37                   and

1                   (7) The number and percentage of families receiving income from the federal  
2                   supplemental security income program or federal social security disability  
3                   benefits:

4                   (a) At the time participation in the program was terminated;

5                   (b) During the 2nd quarter after participation in the program was terminated;  
6                   and

7                   (c) During the 4th quarter after participation in the program was terminated;

8                   E. Cumulative data on the highest level of educational attainment of adult parents or  
9                   caretaker relatives receiving TANF cash assistance and cumulative data on the  
10                  highest level of educational attainment of adult parents or caretaker relatives whose  
11                  participation in the program was terminated in the prior year;

12                  F. The ratio of individuals receiving food supplement assistance to the total number  
13                  of potentially eligible persons and the ratio of households with individuals  
14                  participating in the food supplement program to the total number of households that  
15                  include a person 60 years of age or older, a nonelderly person with disabilities or a  
16                  child under 18 years of age;

17                  G. The number and percentage of adult parents or caretaker relatives who have  
18                  children in the household and who are receiving food supplement assistance, grouped  
19                  by highest level of educational attainment of the adult parent or caretaker relative;

20                  H. The ratio of people participating in the MaineCare program, by eligibility group,  
21                  to the total number of potentially eligible persons within each group;

22                  I. The number and percentage of applications received by the department for the  
23                  MaineCare program and the children's health insurance program as defined in section  
24                  3174-X, subsection 1, paragraph A, by eligibility group, that are processed in less  
25                  than 24 hours; that are processed within one to 7 days; that are processed within 8 to  
26                  30 days; that are processed within 31 to 45 days; and that are processed more than 45  
27                  days after receipt;

28                  J. The average waiting times, by month, for a person calling the department's call  
29                  center to speak to a person; and

30                  K. The number and percentage, by month, of telephone calls to the department's call  
31                  center that are terminated by a caller prior to the caller's speaking to a person.

32                  **3. Improvement targets established.** The department shall examine and use the  
33                  data related to program measures compiled pursuant to subsection 2 and any  
34                  recommendations provided by legislatively established working groups to establish  
35                  proposed improvement targets on an annual basis to serve as a baseline against which  
36                  progress related to program accessibility and participant well-being may be measured.  
37                  Beginning January 15, 2020 and annually thereafter, the department shall present  
38                  proposed improvement targets to the joint standing committee of the Legislature having  
39                  jurisdiction over human services matters along with data compiled pursuant to subsection  
40                  2 for the most recent year and comparative data for the 4 prior years for the committee's  
41                  review. The committee's review must include the opportunity for public comment on the

1 department's proposed improvement targets. After the committee's review and by March  
2 15th annually, the department shall finalize improvement targets for the current year.

3 **4. Report.** By January 15, 2021 and annually thereafter, the department shall  
4 provide data describing the rates of poverty, food insecurity and health coverage for the  
5 State's families, children and individuals over the past 5 years. The department shall  
6 specifically report on its progress in meeting improvement targets established for the  
7 preceding year, along with proposed improvement targets for the following year, to the  
8 joint standing committee of the Legislature having jurisdiction over human services  
9 matters. If the improvement targets established for the preceding year are not met, the  
10 department shall identify the obstacles to meeting those improvement targets and present  
11 a plan for addressing those obstacles to increase the likelihood of success in meeting  
12 those improvement targets in the following year. The joint standing committee of the  
13 Legislature having jurisdiction over human services matters shall conduct a public  
14 hearing on the department's plan and may introduce any legislation that it considers  
15 necessary to improve the department's ability to meet improvement targets in future  
16 years.

17 **Sec. 2. 22 MRSA §3174-G**, as amended by IB 2017, c. 1, Pt. A, §§1 to 3, is  
18 further amended to read:

19 **§3174-G. Medicaid coverage of certain elderly and disabled individuals, children**  
20 **and pregnant women; transitional Medicaid**

21 **1. Delivery of services.** The department shall provide for the delivery of federally  
22 approved Medicaid services to the following persons:

23 A. A qualified woman during her pregnancy and up to 60 days following delivery  
24 when the woman's family income is equal to or below 200% of the nonfarm income  
25 official poverty line;

26 B. An infant under one year of age when the infant's family income is equal to or  
27 below 200% of the nonfarm income official poverty line, except that the department  
28 may adopt a rule that provides that infants in families with income over 185% and  
29 equal to or below 200% of the nonfarm income official poverty line who meet the  
30 eligibility requirements of the Cub Care program established under section 3174-T  
31 are eligible to participate in the Cub Care program instead of Medicaid. Rules  
32 adopted pursuant to this paragraph are routine technical rules as defined in Title 5,  
33 chapter 375, subchapter 2-A;

34 C. A qualified elderly or disabled person when the person's family income is equal to  
35 or below 100% of the nonfarm income official poverty line;

36 D. A child one year of age or older and under 19 years of age when the child's family  
37 income is equal to or below 200% of the nonfarm income official poverty line, except  
38 that the department may adopt a rule that provides that children described in this  
39 paragraph in families with income over 150% and equal to or below 200% of the  
40 nonfarm income official poverty line who meet the eligibility requirements of the  
41 Cub Care program established under section 3174-T are eligible to participate in the

1 Cub Care program instead of Medicaid. Rules adopted pursuant to this paragraph are  
2 routine technical rules as defined in Title 5, chapter 375, subchapter 2-A;

3 E. On or before September 30, 2012, the parent or caretaker relative of a child  
4 described in paragraph B or D when the child's family income is equal to or below  
5 200% of the nonfarm income official poverty line, subject to adjustment by the  
6 commissioner under this paragraph and, beginning October 1, 2012, the parent or  
7 caretaker relative of a child described in paragraph B or D when the child's family  
8 income is equal to or below 133% of the nonfarm income official poverty line,  
9 subject to adjustment by the commissioner under this paragraph. Medicaid services  
10 provided under this paragraph must be provided within the limits of the program  
11 budget. Funds appropriated for services under this paragraph must include an annual  
12 inflationary adjustment equivalent to the rate of inflation in the Medicaid program.  
13 On a quarterly basis, the commissioner shall determine the fiscal status of program  
14 expenditures under this paragraph. If the commissioner determines that expenditures  
15 will exceed the funds available to provide Medicaid coverage pursuant to this  
16 paragraph, the commissioner must adjust the income eligibility limit for new  
17 applicants to the extent necessary to operate the program within the program budget.  
18 If, after an adjustment has occurred pursuant to this paragraph, expenditures fall  
19 below the program budget, the commissioner must raise the income eligibility limit to  
20 the extent necessary to provide services to as many eligible persons as possible within  
21 the fiscal constraints of the program budget, as long as on or before September 30,  
22 2012 the income limit does not exceed 200% of the nonfarm income official poverty  
23 line and, beginning October 1, 2012, the income limit does not exceed 133% of the  
24 nonfarm income official poverty line;

25 F. A person 20 to 64 years of age who is not otherwise covered under paragraphs A  
26 to E when the person's family income is below or equal to 125% of the nonfarm  
27 income official poverty line, as long as the commissioner adjusts the maximum  
28 eligibility level in accordance with the requirements of the paragraph.

29 (2) If the commissioner reasonably anticipates the cost of the program to exceed  
30 the budget of the population described in this paragraph, the commissioner shall  
31 lower the maximum eligibility level to the extent necessary to provide coverage  
32 to as many persons as possible within the program budget.

33 (3) The commissioner shall give at least 30 days' notice of the proposed change  
34 in maximum eligibility level to the joint standing committee of the Legislature  
35 having jurisdiction over appropriations and financial affairs and the joint standing  
36 committee of the Legislature having jurisdiction over health and human services  
37 matters;

38 G. A person who is a noncitizen legally admitted to the United States to the extent  
39 that coverage is allowable by federal law if the person is:

40 (1) A woman during her pregnancy and up to 60 days following delivery; or

41 (2) A child under 21 years of age; and

42 H. No later than 180 days after the effective date of this paragraph, a person under 65  
43 years of age who is not otherwise eligible for assistance under this chapter and who  
44 qualifies for medical assistance pursuant to 42 United States Code, Section

1 1396a(a)(10)(A)(i)(VIII) when the person's income is at or below 133% plus 5% of  
2 the nonfarm income official poverty line for the applicable family size. The  
3 department shall provide such a person, at a minimum, the same scope of medical  
4 assistance as is provided to a person described in paragraph E.

5 Cost sharing, including copayments, for coverage established under this paragraph  
6 may not exceed the maximum allowable amounts authorized under section 3173-C,  
7 subsection 7.

8 No later than 90 days after the effective date of this paragraph, the department shall  
9 submit a state plan amendment to the United States Department of Health and Human  
10 Services, Centers for Medicare and Medicaid Services ensuring MaineCare eligibility  
11 for people under 65 years of age who qualify for medical assistance pursuant to 42  
12 United States Code, Section 1396a(a)(10)(A)(i)(VIII).

13 The department shall adopt rules, including emergency rules pursuant to Title 5,  
14 section 8054 if necessary, to implement this paragraph in a timely manner to ensure  
15 that the persons described in this paragraph are enrolled for and eligible to receive  
16 services no later than 180 days after the effective date of this paragraph. Rules  
17 adopted pursuant to this paragraph are routine technical rules as defined by Title 5,  
18 chapter 375, subchapter 2-A.

19 For the purposes of this subsection, the "nonfarm income official poverty line" is that  
20 applicable to a family of the size involved, as defined by the federal Department of  
21 Health and Human Services and updated annually in the Federal Register under authority  
22 of 42 United States Code, Section 9902(2). For purposes of this subsection, "program  
23 budget" means the amounts available from both federal and state sources to provide  
24 federally approved Medicaid services.

25 **1-B. Funding.** State funds necessary to implement subsection 1-C must include  
26 General Fund appropriations and Other Special Revenue allocations from the Fund for a  
27 Healthy Maine to the elderly low-cost drug program operated pursuant to section 254-D,  
28 including rebates received in that program from pharmaceutical manufacturers, that are  
29 no longer needed in that program as a result of the Medicaid waiver obtained pursuant to  
30 subsection 1-C.

31 **1-C. Prescription drug waiver program.** Except as provided in paragraph G, the  
32 department shall apply to the federal Centers for Medicare and Medicaid Services for a  
33 waiver or amend a pending or current waiver under the Medicaid program authorizing the  
34 department to use federal matching dollars to enhance the prescription drug benefits  
35 available to persons who qualify for the elderly low-cost drug program established under  
36 section 254-D. The program created pursuant to the waiver is the prescription drug  
37 waiver program, referred to in this subsection as the "program."

38 A. As funds permit, the department has the authority to establish income eligibility  
39 levels for the program up to and including 200% of the federal nonfarm income  
40 official poverty level, except that for individuals in households that spend at least  
41 40% of income on unreimbursed direct medical expenses for prescription  
42 medications, the income eligibility level is increased by 25%.



1 B. To the extent reasonably achievable under the federal waiver process, the program  
2 must include the full range of prescription drugs provided under the Medicaid  
3 program on the effective date of this subsection and must limit copayments and cost  
4 sharing for participants. If cost sharing above the nominal cost sharing for the  
5 Medicaid program is determined to be necessary, the department may use a sliding  
6 scale to minimize the financial burden on lower-income participants.

7 C. Coverage under the program may not be less beneficial to persons who meet the  
8 qualifications of former section 254 than the coverage available under that section on  
9 September 30, 2001.

10 D. In determining enrollee benefits under the program, to the extent possible, the  
11 department shall give equitable treatment to coverage of prescription medications for  
12 cancer, Alzheimer's disease and behavioral health.

13 E. The department is authorized to provide funding for the program by using funds  
14 appropriated or allocated to provide prescription drugs under sections 254-D and 258.

15 F. The department is authorized to amend the waiver or adjust program requirements  
16 as necessary to take advantage of enhanced federal matching funds that may become  
17 available.

18 G. If, upon thorough analysis, the department determines that a waiver under this  
19 subsection is not feasible or would not significantly benefit participants in the elderly  
20 low-cost drug program, the department may decide not to pursue the waiver. Within  
21 30 days of a decision not to proceed with a waiver and before taking action on that  
22 decision, the department shall report to the joint standing committee of the  
23 Legislature having jurisdiction over health and human services matters and shall  
24 provide a detailed analysis of the reasons for reaching that decision.

25 **1-D. Enrollment fee.** The department may assess an annual enrollment fee of \$25  
26 for participation in the MaineCare program for a family including a parent or caretaker  
27 relative of a child described in subsection 1, paragraph B or D when the family's income  
28 exceeds 150% of the nonfarm income official poverty line.

29 **2. Resource test.** The department may not apply a resource test to those children  
30 and pregnant women who are made eligible under this section, unless these persons also  
31 receive Temporary Assistance for Needy Families or United States Supplemental  
32 Security Income benefits.

33 **3. Benefits authorized.** The scope of medical assistance to be provided within this  
34 section ~~shall~~ must be that authorized by the Federal Sixth Omnibus Budget Reconciliation  
35 Act, Public Law 99-509.

36 **4. Transitional Medicaid.** The department shall administer a program of  
37 transitional Medicaid to families receiving benefits under Section 1931 of the federal  
38 Social Security Act in accordance with 42 United States Code, Section 1396r-6 and this  
39 subsection. The amount, duration and scope of services provided under this subsection  
40 must be the same as that provided to a parent or caretaker relative of a child described in  
41 subsection 1, paragraph B or D.

1           A. The department shall provide transitional Medicaid for a 12-month extension  
2           period in accordance with 42 United States Code, Section 1396r-6, Subsection (a),  
3           Paragraph (5) to families whose eligibility for Medicaid assistance terminated due to  
4           an increase in earned income, an increase in hours of employment or a loss of a time-  
5           limited earnings disregard.

6           B. The department shall provide transitional Medicaid for 4 months to families  
7           whose eligibility for Medicaid assistance terminated due to an increase in the amount  
8           of child support received by the family.

9           **Sec. 3. 22 MRSA §3762, sub-§3, ¶B**, as amended by PL 2017, c. 256, §1; c. 284,  
10          Pt. NNNNNNN, §10; c. 290, §1; and c. 412, §2, is further amended to read:

11          B. The department may use funds, insofar as resources permit, provided under and in  
12          accordance with the United States Social Security Act or state funds appropriated for  
13          this purpose or a combination of state and federal funds to provide assistance to  
14          families under this chapter. In addition to assistance for families described in this  
15          subsection, funds must be expended for the following purposes:

16               (1) To continue the pass-through of the first \$50 per month of current child  
17               support collections and the exclusion of the \$50 pass-through from the budget  
18               tests and benefit calculations;

19               (2) To provide financial assistance to noncitizens legally admitted to the United  
20               States who are receiving assistance under this subsection as of July 1, 2011.  
21               Recipients of assistance under this subparagraph are limited to the categories of  
22               noncitizens who would be eligible for the TANF programs but for their status as  
23               aliens under PRWORA. Eligibility for the TANF program for these categories of  
24               noncitizens must be determined using the criteria applicable to other recipients of  
25               assistance from the TANF program. Any household receiving assistance as of  
26               July 1, 2011 may continue to receive assistance, as long as that household  
27               remains eligible, without regard to interruptions in coverage or gaps in eligibility  
28               for service. A noncitizen legally admitted to the United States who is neither  
29               receiving assistance on July 1, 2011 nor has an application pending for assistance  
30               on July 1, 2011 that is later approved is not eligible for financial assistance  
31               through a state-funded program unless that noncitizen is:

32                       (a) Elderly or disabled, as described under the laws governing supplemental  
33                       security income in 42 United States Code, Sections 1381 to 1383f (2010);

34                       (b) A victim of domestic violence;

35                       (c) Experiencing other hardship, such as time necessary to obtain proper  
36                       work documentation, as defined by the department by rule. Rules adopted by  
37                       the department under this division are routine technical rules as defined by  
38                       Title 5, chapter 375, subchapter 2-A; or

39                       (d) Unemployed but has obtained proper work documentation, as defined by  
40                       the department by rule. Rules adopted by the department under this division  
41                       are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A;

- 1 (3) To provide benefits to 2-parent families with children using the same  
2 eligibility requirements as apply to families headed by a single custodial parent or  
3 caretaker relative;
- 4 (4) To provide an assistance program for needy children, 19 to 21 years of age,  
5 who are in full-time attendance in secondary school. The program is operated for  
6 those individuals who qualify for TANF under the United States Social Security  
7 Act, except that they fail to meet the age requirement, and is also operated for the  
8 parent or caretaker relative of those individuals. Except for the age requirement,  
9 all provisions of TANF, including the standard of need and the amount of  
10 assistance, apply to the program established pursuant to this subparagraph;
- 11 (5) To provide assistance for a pregnant woman who is otherwise eligible for  
12 assistance under this chapter, except that she has no dependents under 19 years of  
13 age. An individual is eligible for the monthly benefit for one eligible person if  
14 the medically substantiated expected date of the birth of her child is not more  
15 than 90 days following the date the benefit is received;
- 16 (6) To provide a special housing allowance for TANF families whose shelter  
17 expenses for rent, mortgage or similar payments, homeowners insurance and  
18 property taxes equal or exceed 50% of their monthly income. The special  
19 housing allowance is limited to \$300 per month for each family. For purposes of  
20 this subparagraph, "monthly income" means the total of the TANF monthly  
21 benefit and all income countable under the TANF program, plus child support  
22 received by the family, excluding the \$50 pass-through payment;
- 23 (7) In determining benefit levels for TANF recipients who have earnings from  
24 employment, the department shall disregard from monthly earnings the  
25 following:
  - 26 (a) One hundred and eight dollars;
  - 27 (b) Fifty percent of the remaining earnings that are less than the federal  
28 poverty level; and
  - 29 (c) All actual child care costs necessary for work, except that the department  
30 may limit the child care disregard to \$175 per month per child or \$200 per  
31 month per child under 2 years of age or with special needs;
- 32 ~~(7-A) In determining eligibility and benefit levels, the department may apply a~~  
33 ~~gross income test only to applicants and not to recipients;~~
- 34 (7-C) In determining financial eligibility and benefit levels for TANF applicants  
35 and TANF recipients, the department shall deduct the income less any applicable  
36 income disregards from the standard of need and may not apply any other income  
37 test;
- 38 (8) In cases when the TANF recipient has no child care cost, the monthly TANF  
39 benefit is the maximum payment level or the difference between the countable  
40 earnings and the standard of need established by rule adopted by the department,  
41 whichever is lower;

1 (9) In cases when the TANF recipient has child care costs, the department shall  
2 determine a total benefit package, including TANF cash assistance, determined in  
3 accordance with subparagraph (7) and additional child care assistance, as  
4 provided by rule, necessary to cover the TANF recipient's actual child care costs  
5 up to the maximum amount specified in section 3782-A, subsection 5, paragraph  
6 B. The benefit amount must be paid as provided in this subparagraph.

7 (a) Before the first month in which child care assistance is available to an  
8 ASPIRE-TANF recipient under this paragraph and periodically thereafter, the  
9 department shall notify the recipient of the total benefit package and the  
10 following options of the recipient: to receive the total benefit package  
11 directly; or to have the department pay the recipient's child care assistance  
12 directly to the designated child care provider for the recipient and pay the  
13 balance of the total benefit package to the recipient.

14 (b) If an ASPIRE-TANF recipient notifies the department that the recipient  
15 chooses to receive the child care assistance directly, the department shall pay  
16 the total benefit package to the recipient.

17 (c) If an ASPIRE-TANF recipient does not respond or notifies the  
18 department of the choice to have the child care assistance paid directly to the  
19 child care provider from the total benefit package, the department shall pay  
20 the child care assistance directly to the designated child care provider for the  
21 recipient. The department shall pay the balance of the total benefit package  
22 to the recipient;

23 (10) Child care assistance under this paragraph must be paid by the department  
24 in a prompt manner that permits an ASPIRE-TANF recipient to access child care  
25 necessary for work; and

26 (11) The department shall adopt rules pursuant to Title 5, chapter 375 to  
27 implement this subsection. Rules adopted pursuant to this subparagraph are  
28 routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

29 **Sec. 4. 22 MRSA §3762, sub-§8, ¶A**, as amended by PL 1999, c. 731, Pt. OO,  
30 §2, is repealed.

31 **Sec. 5. 22 MRSA §3769-B**, as amended by PL 1999, c. 401, Pt. S, §4, is repealed.

32 **Sec. 6. 22 MRSA §3790, sub-§§3-A and 3-B** are enacted to read:

33 **3-A. Coordination with state educational institutions and programs.** The  
34 department shall deem a referral from an educational institution or program that is part of  
35 the University of Maine System; the Maine Community College System; Jobs for Maine's  
36 Graduates, established in Title 20-A, chapter 226; an adult education program established  
37 in Title 20-A, chapter 315; or the career centers established by the Department of Labor  
38 as an application for the Parents as Scholars Program as long as, in accordance with  
39 department rules, it is submitted by a qualified person at the institution or program on a  
40 form provided by the department for this purpose and signed by the prospective student  
41 expressing a desire to enroll in the Parents as Scholars Program. The department shall  
42 notify these institutions and programs of the opportunity to refer prospective students in

1 accordance with this subsection and make available to prospective students and these  
2 institutions and programs referral forms to serve as an application for purposes of this  
3 subsection.

4 **3-B. Campus-based student support and navigation; working group.** The  
5 commissioner or the commissioner's designee shall convene a working group to make  
6 recommendations to the department regarding the most effective means to establish or  
7 supplement personalized professional guidance, support and navigation services for  
8 participants in the Parents as Scholars Program in order to promote program completion  
9 and student success. The working group includes the Chancellor of the University of  
10 Maine System or the chancellor's designees; the President of the Maine Community  
11 College System or the president's designees; members of advocacy or other organizations  
12 with expertise in policy related to supports and other assistance needed to help adults with  
13 low incomes successfully achieve higher education credentials or degrees; low-income  
14 students currently or previously enrolled in the University of Maine System or Maine  
15 Community College System; and other members determined appropriate by the  
16 commissioner. The working group shall also make recommendations to the department  
17 as to how the department may best contribute, through administration of the Parents as  
18 Scholars Program and the Higher Opportunity for Pathways to Employment Program  
19 established under chapter 1054-C, to the goal established in Title 26, section 2006,  
20 subsection 1, paragraph K. The department shall provide up to \$500,000 annually to  
21 educational institutions or programs identified under subsection 3-A to implement  
22 services identified to achieve the purposes under this section. These funds must be  
23 provided under the TANF block grant available under Title IV-A of the United States  
24 Social Security Act. The commissioner or the commissioner's designee shall convene the  
25 first meeting of the working group no later than November 1, 2019.

26 **Sec. 7. Working group to improve performance of Department of Health**  
27 **and Human Services programs and systems to alleviate poverty, food**  
28 **insecurity and hardship.** The Commissioner of Health and Human Services or the  
29 commissioner's designee shall convene a working group to review and make  
30 recommendations to improve the operations of systems and programs administered by the  
31 Department of Health and Human Services providing services to persons in need. The  
32 commissioner or the commissioner's designee shall convene the first meeting of the  
33 working group no later than November 1, 2019.

34 **1. Members.** The working group consists of at least 12 members, in addition to  
35 department staff as the commissioner determines appropriate, including persons that now  
36 receive or previously received assistance from department core safety net programs;  
37 members of advocacy organizations with expertise in policy or legal matters related to  
38 programs administered by the department; providers of health care or social services  
39 serving persons receiving assistance from the department; and persons with technological  
40 expertise who could assist with recommendations related to creating efficiencies in  
41 program enrollment, recertification and improved program integration. The working  
42 group may create subgroups to work on specific issues or initiatives and may include  
43 persons who are not working group members.



1           1. It requires the Department of Health and Human Services to collect data to  
2 measure access to and the performance of certain programs administered by the  
3 Department of Health and Human Services and establish improvement targets on an  
4 annual basis to monitor year-to-year improvements related to program accessibility and  
5 participant well-being.

6           2. It reallocates the provisions relating to transitional Medicaid from the Maine  
7 Revised Statutes, Title 22, chapter 1053-B, which pertains to temporary assistance for  
8 needy families, to Title 22, chapter 855, which pertains to aid to needy persons, to reflect  
9 that the federal Personal Responsibility and Work Opportunity Reconciliation Act of  
10 1996, Public Law 104-193, 110 Stat. 2105 no longer just applies to families losing  
11 eligibility for Medicaid as a result of losing eligibility for the Temporary Assistance for  
12 Needy Families program but instead applies to all parents who lose eligibility for  
13 Medicaid.

14           3. It removes the requirement that a family must have received Medicaid assistance  
15 for at least 3 of the last 6 months in order for that family to receive transitional Medicaid.

16           4. It requires that the Department of Health and Human Services provide transitional  
17 Medicaid for a 12-month extension period pursuant to the state option provided in 42  
18 United States Code, Section 1396r-6, Subsection (a), Paragraph (5) when a person's  
19 eligibility was terminated because of an increase in earned income or hours of  
20 employment or a loss of a time-limited earnings disregard.

21           5. It eliminates the TANF gross income test for applicants to conform the eligibility  
22 methodology for both applicants and recipients.

23           6. It establishes a procedure by which the Department of Health and Human Services  
24 must consider referrals made in accordance with department rule from educational  
25 institutions and similar programs as applications for the Parents as Scholars Program  
26 under the Maine Revised Statutes, Title 22, section 3790.

27           7. It provides funds from the TANF block grant to provide personalized professional  
28 guidance, support and navigation services for participants in the Parents as Scholars  
29 Program in order to promote program completion and student success and requires the  
30 Commissioner of Health and Human Services to convene a working group to make  
31 recommendations related to the most effective way to achieve this goal, along with other  
32 suggestions to improve the program.

33           8. It requires the Commissioner of Health and Human Services to convene a working  
34 group to review and make recommendations to improve the operations of systems and  
35 programs administered by the Department of Health and Human Services providing  
36 services to people in need.

37           9. It provides that additional costs to the State resulting from implementation of this  
38 legislation must be paid from funds provided to the Department of Health and Human  
39 Services under the Temporary Assistance for Needy Families block grant or from  
40 resources representing the State's maintenance of effort to qualify for federal funds.