

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 93

H.P. 58

House of Representatives, January 8, 2025

**An Act to Reduce Cost and Increase Access to Disease Prevention by
Expanding the Universal Childhood Immunization Program to
Include Adults**

Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.
Reference to the Committee on Health and Human Services suggested and ordered printed.

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

ROBERT B. HUNT
Clerk

Presented by Representative ZAGER of Portland.

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

2 **Sec. 1. 22 MRSA §1066**, as amended by PL 2017, c. 7, §1, is further amended by
3 amending the section headnote to read:

4 **§1066. Universal Childhood Immunization Program**

5 **Sec. 2. 22 MRSA §1066, sub-§1**, as enacted by PL 2009, c. 595, §2, is amended to
6 read:

7 **1. Program established.** The Universal ~~Childhood~~ Immunization Program is
8 established to provide all ~~children from birth until 19 years of age~~ individuals in the State
9 with access to a uniform set of vaccines as determined and periodically updated by the
10 Maine Vaccine Board. The program is administered by the department for the purposes of
11 expanding access to immunizations against all diseases as recommended by the federal
12 Department of Health and Human Services, Centers for Disease Control and Prevention
13 Advisory Committee on Immunization Practices, optimizing public and private resources
14 and lowering the cost of providing immunizations to ~~children~~ individuals in the State. The
15 program is overseen by the Maine Vaccine Board.

16 **Sec. 3. 22 MRSA §1066, sub-§2, ¶D**, as enacted by PL 2009, c. 595, §2, is
17 repealed.

18 **Sec. 4. 22 MRSA §1066, sub-§2, ¶F**, as enacted by PL 2009, c. 595, §2, is
19 amended to read:

20 F. "Fund" means the ~~Childhood~~ Immunization Fund established in subsection 7.

21 **Sec. 5. 22 MRSA §1066, sub-§2, ¶G-1** is enacted to read:

22 G-1. "Individual" means a person who resides in the State.

23 **Sec. 6. 22 MRSA §1066, sub-§2, ¶I**, as enacted by PL 2009, c. 595, §2, is amended
24 to read:

25 I. "Program" means the Universal ~~Childhood~~ Immunization Program established in
26 subsection 1.

27 **Sec. 7. 22 MRSA §1066, sub-§2, ¶M**, as enacted by PL 2009, c. 595, §2, is
28 amended to read:

29 M. "Total costs of the fund" means the costs of vaccines provided under the program
30 to ~~children~~ individuals projected to be covered by assessed entities during the
31 succeeding program year and the annual operating expenses of the board, including
32 costs the board may incur for staff, a service agent, legal representation, administrative
33 support services and other expenses approved by the board.

34 **Sec. 8. 22 MRSA §1066, sub-§5**, as enacted by PL 2009, c. 595, §2, is amended to
35 read:

36 **5. Assessments.** By January 1, 2011 and annually thereafter, the board shall determine
37 an assessment for each assessed entity in accordance with this subsection. The board shall
38 provide a mechanism to protect against duplicate counting of ~~children~~ individuals. The
39 board may conduct an audit of the number of covered life months for ~~children~~ individuals
40 as reported by an assessed entity. An assessment determination made pursuant to this

1 subsection is an adjudicatory proceeding within the meaning of Title 5, chapter 375,
2 subchapter 4.

3 A. In determining the amount of the assessment, the board shall:

4 (1) Determine the total costs of the fund for the succeeding program year;

5 (2) Add a reserve of up to 10% of the total costs of the fund under subparagraph
6 (1) for unanticipated costs associated with providing vaccines to ~~children~~
7 individuals covered by the assessed entity;

8 (3) Subtract the amount of any unexpended assessments collected in the preceding
9 year and any unexpended interest accrued to the fund during the preceding year;
10 and

11 (4) Calculate the assessment on a monthly basis per ~~child~~ individual to be paid by
12 an assessed entity by dividing the amount determined in accordance with
13 subparagraphs (1), (2) and (3) by the number of ~~children~~ individuals projected to
14 be covered by the assessed entity during the succeeding program year divided by
15 12.

16 B. The board shall provide the assessed entity with notice of the assessment amount
17 for the succeeding program year no later than January 1, 2011 and annually thereafter.

18 C. Beginning July 1, 2011, the assessment must be paid on a quarterly basis as follows:

19 (1) An assessed entity shall pay a quarterly assessment equal to the monthly
20 assessment rate per ~~child~~ individual as described under paragraph A, subparagraph
21 (4) multiplied by the number of ~~child~~ individual member months covered by the
22 assessed entity in the preceding calendar quarter; and

23 (2) The assessment must be paid within 45 days following the close of the calendar
24 quarter.

25 D. After the close of a program year, the board shall reconcile the total assessments
26 paid by assessed entities, including interim assessments determined under paragraph
27 E, with the actual costs of vaccines provided under the program to ~~children~~ individuals
28 covered by assessed entities during that program year and the annual operating
29 expenses of the program during that program year. Any unexpended assessments must
30 be used to reduce the assessment in the succeeding program year as required under
31 paragraph A, subparagraph (3).

32 E. The board may determine an interim assessment for new vaccines that the board
33 has made available through the program pursuant to subsection 3, paragraph E. The
34 board shall calculate the interim assessment in accordance with paragraph A, and the
35 interim assessment is payable the calendar quarter that begins no less than 30 days
36 following the establishment of the federal contract price. The board may not impose
37 more than one interim assessment per year, except in the case of a public health
38 emergency declared in accordance with state or federal law.

39 F. If the combination of funding available from the United States Department of Health
40 and Human Services, Centers for Disease Control and Prevention, Vaccines for
41 Children Program and the immunization grant program under the federal Public Health
42 Service Act, Section 1928 of the Social Security Act, 42 United States Code, Section
43 1396s is insufficient to provide coverage for vaccines for the children who qualify for

1 vaccines under the Vaccines for Children Program, money from the fund may not be
2 used to cover the cost of vaccines for children who would otherwise be provided
3 vaccines under the Vaccines for Children Program.

4 G. If the assessments under this subsection are insufficient to cover the cost of vaccines
5 to be provided to ~~children~~ individuals covered by assessed entities, the State is not
6 required to cover the cost of vaccines for those ~~children~~ individuals.

7 **Sec. 9. 22 MRSA §1066, sub-§7**, as enacted by PL 2009, c. 595, §2, is amended to
8 read:

9 **7. Fund.** The ~~Childhood~~ Immunization Fund is established for the sole purpose of
10 funding the program, including any costs of vaccines provided under the program to
11 ~~children~~ individuals and any costs the board may incur for staff, a service agent,
12 administrative support services, legal representation and contracted services. The fund is
13 administered by the board or the service agent, which shall act as a fiduciary and manage
14 and invest the fund in conformance with prudent investor standards and maintain complete
15 records of all assets, investments, deposits, disbursements and other transactions of the
16 fund. All money and securities in the fund must be held in trust by the Treasurer of State
17 for the purpose of making payments under this section and are not money or property for
18 the general use of the State. The Treasurer of State is the custodian of the fund and may
19 make disbursements only upon written direction from the board or the service agent. All
20 assessments collected pursuant to this section, all interest on the balance in the fund and all
21 income from any other source must be deposited into the fund. The fund does not lapse.
22 No portion of the fund may be used to subsidize other programs or budgets.

23 **Sec. 10. 22 MRSA §1066, sub-§8**, as enacted by PL 2009, c. 595, §2, is amended
24 to read:

25 **8. Reporting.** By January 15th of each year, the board shall report to the joint standing
26 committee of the Legislature having jurisdiction over health and human services matters
27 regarding the operation of the program, the progress of the program in expanding access to
28 immunizations for ~~children~~ individuals and the assets, investments and expenditures of the
29 fund.

30 **Sec. 11. 22 MRSA §1963, sub-§3, ¶I**, as enacted by PL 2017, c. 312, Pt. A, §1, is
31 amended to read:

32 I. Support for activities of programs within the Maine Center for Disease Control and
33 Prevention, including, but not limited to, the Universal ~~Childhood~~ Immunization
34 Program under section 1066 and environmental health and tuberculosis programs;

35 SUMMARY

36 This bill amends the law governing the Universal Childhood Immunization Program
37 to expand the program to provide immunizations to and cover the costs of recommended
38 vaccines for adults in the State.