

MAINE STATE LEGISLATURE

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L.D. 209

Date: 2/11/25

(Filing No. H- 4)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
132ND LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT " C " to COMMITTEE AMENDMENT "A" to H.P. 131,
L.D. 209, "An Act to Make Supplemental Appropriations and Allocations from the General
Fund and Other Funds for the Expenditures of State Government and to Change Certain
Provisions of the Law Necessary to the Proper Operations of State Government for the
Fiscal Year Ending June 30, 2025"

Amend the amendment by inserting after Part X the following:

PART Y

Sec. Y-1. 22 MRSA §3174, sub-§2, as enacted by PL 1973, c. 790, §2, is amended
to read:

2. Residence. Is living in the State at the date of the application; and

Sec. Y-2. 22 MRSA §3174, sub-§3, as corrected by RR 2021, c. 2, Pt. B, §160, is
amended to read:

3. Inmate. Is not an inmate of any public institution, except as a patient in a medical
institution or an inmate during the month in which the applicant becomes an inmate only
to the extent permitted by federal law, but an inmate of such an institution may file
application for aid and any allowance made thereon must take effect and be paid when the
applicant ceases to be an inmate of the institution; and

Sec. Y-3. 22 MRSA §3174, sub-§4 is enacted to read:

4. Work or community engagement requirements. If the applicant is 19 years of
age or older and under 65 years of age, with no dependents and no documented disability,
has completed at least 20 hours per week of the following work or community engagement
requirements:

- A. Employment as defined under Title 26, section 1043, subsection 11;
- B. Participation in job training or education programs; or
- C. Volunteering at an approved nonprofit or community organization.

The department shall issue a waiver from the requirements of this subsection to an
individual who is pregnant or undergoing medical treatment that prevents the individual
from completing the work or community engagement requirements.

HOUSE AMENDMENT

1 No less than once every 4 months, the department shall review and verify that all recipients
2 of aid, assistance or benefits available through a program of medical assistance
3 administered pursuant to this chapter are in compliance with the provisions of this
4 subsection.

5 The department shall adopt rules to implement this subsection. Rules adopted under this
6 subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

7 **Sec. Y-4. Federal waiver.** No later than April 1, 2025, the Department of Health
8 and Human Services shall request federal approval from the United States Department of
9 Health and Human Services, Centers for Medicare and Medicaid Services for a Section
10 1115 demonstration waiver under the United States Social Security Act to the extent
11 necessary to carry out the Maine Revised Statutes, Title 22, section 3174, subsection 4. If
12 the waiver is approved, the department shall adopt rules pursuant to Title 22, section 3174,
13 subsection 4 no later than 90 days after approval. Rules adopted pursuant to this section are
14 routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

15 **Sec. Y-5. Contingent effective date.** That section of this Part that enacts the Maine
16 Revised Statutes, Title 22, section 3174, subsection 4 takes effect when a Section 1115
17 demonstration waiver is approved, but no sooner than July 1, 2025.

18 The Commissioner of Health and Human Services shall notify the Secretary of State,
19 the Secretary of the Senate, the Clerk of the House and the Revisor of Statutes when
20 approval sought under section 4 is received.'

21 Amend the amendment by relettering or renumbering any nonconsecutive Part letter or
22 section number to read consecutively.

23 **SUMMARY**

24 This amendment requires recipients of aid, assistance or benefits available through the
25 MaineCare program who are 19 years of age or older and under 65 years of age to complete
26 at least 20 hours of work or community engagement activities per week. The amendment
27 requires the Department of Health and Human Services to issue a waiver to an individual
28 who is pregnant or undergoing medical treatment that prevents the individual from
29 completing the work or community engagement requirements.

30 The amendment requires the department no less than once every 4 months to review
31 and verify that all recipients are in compliance with the work or engagement requirements.
32 It also requires the department to request a waiver from the United States Department of
33 Health and Human Services, Centers for Medicare and Medicaid Services to implement
34 certain provisions of this amendment and provides an effective date.

35 **SPONSORED BY:** 

36 (Representative **DUCHARME, J.**)

37 **TOWN:** Madison

FISCAL NOTE REQUIRED
(See attached)



132nd MAINE LEGISLATURE

LD 209

LR 2408(16)

An Act to Make Supplemental Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2025

Fiscal Note for House Amendment "h" to Committee Amendment "A" H-4

Sponsor: Rep. Ducharme of Madison

Fiscal Note Required: Yes

Fiscal Note

Contingent current biennium savings - General Fund

Fiscal Detail and Notes

The amendment requires the Department of Health and Human Services to, no later than April 1, 2025, request federal approval from the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services for a Section 1115 demonstration waiver that would require work and community engagement requirements for able bodied individuals in order to participate in the Mainecare program. If this waiver is approved, there would be savings in the Mainecare program, as some currently eligible individuals would not meet the new requirements and be removed from the program. The amount and timing of these contingent savings are not yet determined.