

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 612

H.P. 380

House of Representatives, February 25, 2025

An Act to Require the Department of Health and Human Services to Review Medicaid, Supplemental Nutrition Assistance Program and Electronic Benefits Transfer Card Transactions and Lottery Operations

Received by the Clerk of the House on February 20, 2025. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Handwritten signature of Robert B. Hunt in cursive.

ROBERT B. HUNT
Clerk

Presented by Representative HENDERSON of Rumford.
Cosponsored by Senator MOORE of Washington and
Representatives: ALBERT of Madawaska, CIMINO of Bridgton, COLLINS of Sidney,
COOPER of Windham, DAIGLE of Fort Kent, HAGGAN of Hampden, OLSEN of Raymond,
QUINT of Hodgdon.

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

2 **Sec. 1. 22 MRSA §20-B** is enacted to read:

3 **§20-B. Lottery winnings of benefits recipients**

4 **1. Department to enter data-matching agreement with Department of**
5 **Administrative and Financial Services.** Beginning January 1, 2026, the department shall
6 enter into a data-matching agreement with the Department of Administrative and Financial
7 Services to identify households with lottery winnings of \$3,000 or more and, to the extent
8 permissible under federal law, treat this data as verified upon receipt. To the extent the data
9 is not verified upon receipt, the department shall make referrals for further investigation to
10 identify households with winnings equal to or greater than the resource limit for elderly or
11 disabled households as defined in 7 Code of Regulations, Section 273.8(b).

12 **2. Cross-checking data for prize winners.** The Department of Administrative and
13 Financial Services may not distribute lottery winnings to any prize winner without first
14 cross-checking data provided by the department to determine whether the prize winner is
15 enrolled in Medicaid or has been enrolled in Medicaid in the previous 12 months or is a
16 member of a household enrolled in the Supplemental Nutrition Assistance Program or has
17 been a member of a household enrolled in the Supplemental Nutrition Assistance Program
18 in the previous 12 months. If the Department of Administrative and Financial Services
19 determines that:

20 A. A lottery prize winner is not enrolled in Medicaid and has not been enrolled in
21 Medicaid in the previous 12 months and is not a member of a household enrolled in the
22 Supplemental Nutrition Assistance Program and has not been a member of a household
23 enrolled in the Supplemental Nutrition Assistance Program in the previous 12 months,
24 the Department of Administrative and Financial Services shall proceed with its
25 customary procedures for distributing lottery winnings under applicable law; and

26 B. A lottery prize winner is enrolled in Medicaid or has been enrolled in Medicaid in
27 the previous 12 months or is a member of a household enrolled in the Supplemental
28 Nutrition Assistance Program or has been a member of a household enrolled in the
29 Supplemental Nutrition Assistance Program in the previous 12 months, the Department
30 of Administrative and Financial Services shall:

31 (1) Notify the department and request an estimate of the State's expenditures in
32 providing Medicaid benefits and Supplemental Nutrition Assistance Program
33 benefits to the prize winner over the previous 5 years by calculating the
34 department's per capita administrative costs, the duration of the prize winner's
35 enrollment and specific charges incurred or provider payments made on behalf of
36 the prize winner;

37 (2) Deduct from the lottery prize the amount relevant to the prize winner specified
38 in subparagraph (1);

39 (3) Remit the deducted amount to the department as reimbursement; and

40 (4) Pay the prize winner the remaining lottery prize under applicable law, with
41 notice to the prize winner of the deduction.

42 **3. Exemptions.** The provisions of this section do not apply to an individual who is:

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A. Medically certified as physically or mentally unfit for employment; or

B. A parent or caretaker personally providing the care for a dependent child with serious medical conditions or with a disability, as determined by the department.

4. Benefits programs and lottery materials. The department and the Department of Administrative and Financial Services shall modify all Medicaid, Supplemental Nutrition Assistance Program and lottery materials, including contracts, tickets, brochures, advertisements and eligibility notices, to provide sufficient notice of the deductions required under this section.

5. Rules. The department and the Department of Administrative and Financial Services shall adopt rules to carry out the provisions of this section. Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

Sec. 2. 22 MRSA §23, sub-§1-A is enacted to read:

1-A. Out-of-state transactions. The department shall monitor electronic benefits transfer system data and flag any exclusive out-of-state EBT card transactions by a recipient over a period of 90 days. Within 30 days of flagging a recipient's transactions, the department shall contact any recipient who makes solely out-of-state EBT card transactions over a period of 90 days to determine whether the recipient continues to reside in the State. If the department determines that the recipient no longer resides in the State or the recipient does not respond to the department contact under this subsection within 30 days of contact, the department shall terminate any benefits received by the recipient under this subchapter. Within 15 days of termination, the department shall provide the information on the recipient to the United States Department of Agriculture office for the district in which the recipient resided prior to moving from the State.

SUMMARY

This bill requires the Department of Health and Human Services to cross-check data of lottery winners with recipients of Medicaid benefits or the Supplemental Nutrition Assistance Program and to deduct from the winnings the past 5 years of benefits received by the prize winner and administrative costs. The bill also requires the department to monitor out-of-state electronic benefits transfer, or EBT, system transactions and terminate the benefits of any recipient who makes solely out-of-state EBT card transactions over a 90-day period and is determined to no longer reside in the State or does not respond to department contact.