

# MAINE STATE LEGISLATURE

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# 132nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2025

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Legislative Document

No. 896

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S.P. 385

In Senate, March 11, 2025

### An Act to Provide Young Children Stable Access to Health Care

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Received by the Secretary of the Senate on March 5, 2025. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator CARNEY of Cumberland.  
Cosponsored by Representative MEYER of Eliot and  
Senators: BRENNER of Cumberland, INGWERSEN of York, Representatives: BOYER of  
Cape Elizabeth, DEBRITO of Waterville, LEE of Auburn, MURPHY of Scarborough,  
SHAGOURY of Hallowell.

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

2 **Sec. 1. 22 MRSA §3174-G, sub-§5** is enacted to read:

3 **5. Continuous coverage of children under 6 years of age.** Upon the approval of the  
4 federal Department of Health and Human Services, Centers for Medicare and Medicaid  
5 Services, the department shall adopt rules to establish the continuous eligibility of a child  
6 from birth through 5 years of age. A child who is eligible for and enrolls in Medicaid or the  
7 Children's Health Insurance Program established in section 3174-T is eligible to receive  
8 continuous coverage through Medicaid or the Children's Health Insurance Program,  
9 regardless of the family's change in income. Continuous eligibility must be maintained  
10 through the end of the month in which the child attains 6 years of age.

11 A child's eligibility to receive continuous coverage under this subsection must be  
12 redetermined or terminated if:

13 A. The child is no longer a resident of the State;

14 B. The child's parent or legal guardian requests termination of the child's eligibility;

15 C. The child dies; or

16 D. The department determines that the child's eligibility was erroneously granted at  
17 the most recent determination, redetermination or renewal of eligibility because of  
18 agency error, fraud, abuse or perjury.

19 Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5,  
20 chapter 375, subchapter 2-A.

21 **Sec. 2. Department to apply for federal approval.** The Department of Health  
22 and Human Services shall, by December 31, 2025, apply to the federal Department of  
23 Health and Human Services, Centers for Medicare and Medicaid Services for a waiver or  
24 demonstration project or to amend a pending or current waiver or demonstration project to  
25 provide continuous eligibility for a child from birth through 5 years of age who is eligible  
26 for and enrolls in the MaineCare program.

## 27 SUMMARY

28 This bill requires the Department of Health and Human Services to apply, by December  
29 31, 2025, to the federal Department of Health and Human Services, Centers for Medicare  
30 and Medicaid Services for a waiver or demonstration project or to amend a pending or  
31 current waiver or demonstration project to provide continuous eligibility to a child from  
32 birth through 5 years of age who is eligible for and enrolls in the Medicaid program. Upon  
33 the approval of such a waiver or demonstration project, it requires the department to adopt  
34 rules to establish the continuous eligibility of a child from birth through 5 years of age who  
35 is eligible for and enrolls in the Medicaid program, regardless of the child's family's change  
36 in income. Continuous eligibility must be maintained through the end of the month in which  
37 the child attains 6 years of age, but a child's eligibility to receive continuous coverage must  
38 be redetermined or terminated if the child is no longer a resident of the State, the child's  
39 parent or legal guardian requests termination of the child's eligibility, the child dies or the  
40 department determines that the child's eligibility was erroneously granted at the most recent  
41 determination, redetermination or renewal of eligibility because of agency error, fraud,  
42 abuse or perjury.