

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1249

H.P. 824

House of Representatives, March 25, 2025

An Act to Delay Payment of Benefits Under the Paid Family and Medical Leave Benefits Program

(EMERGENCY)

Reference to the Committee on Labor suggested and ordered printed.

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

ROBERT B. HUNT
Clerk

Presented by Representative FAULKINGHAM of Winter Harbor.
Cosponsored by Senator BRADSTREET of Kennebec and
Representatives: BISHOP of Bucksport, CHAPMAN of Auburn, HAGGAN of Hampden,
HYMES of Waldo, LAVIGNE of Berwick, LEMELIN of Chelsea, POMERLEAU of Standish,
WHITE of Ellsworth.

1 **Emergency preamble.** Whereas, acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** this legislation delays implementation of the paid family and medical leave
4 benefits program; and

5 **Whereas,** employers and employees must be notified of the delay in the program as
6 soon as possible; and

7 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
8 the meaning of the Constitution of Maine and require the following legislation as
9 immediately necessary for the preservation of the public peace, health and safety; now,
10 therefore,

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

12 **Sec. 1. 26 MRSA §850-B, first ¶**, as enacted by PL 2023, c. 412, Pt. AAA, §7, is
13 amended to read:

14 The paid family and medical leave benefits program is established effective ~~January 1,~~
15 ~~2026~~ July 1, 2027. The program is administered by the department. In accordance with
16 subsection 1, the department may, through contract after a competitive bidding process
17 subject to the requirements of Title 5, section 1816-B, authorize a 3rd party to conduct
18 claims administration.

19 **Sec. 2. 26 MRSA §850-E, sub-§6**, as enacted by PL 2023, c. 412, Pt. AAA, §7, is
20 amended to read:

21 **6. Report.** Beginning ~~October 1, 2026~~ April 1, 2028 and annually thereafter, the
22 administrator shall publish a report providing the following information concerning the
23 program for the previous fiscal year:

24 A. The total claims made, the total eligible claims and the percentage of total eligible
25 claims out of total claims made;

26 B. The percentage of eligible claims attributable to medical leave;

27 C. The percentage of eligible claims attributable to family leave for the serious health
28 condition of a family member;

29 D. The percentage of eligible claims attributable to family leave other than for the
30 birth, adoption or fostering of a child;

31 E. The percentage of eligible claims attributable to family leave for the birth, adoption
32 or fostering of a child;

33 F. The percentage of eligible claims attributable to family leave for a qualifying
34 exigency;

35 G. The percentage of eligible claims attributable to family leave for a covered service
36 member;

37 H. The claimant demographics by age, gender identification, race, ethnicity, average
38 weekly wage, occupation and the type of leave taken;

39 I. The percentage of claims denied and the reasons for the denials;

- 1 J. The average weekly benefit amount paid for all claims and by the type of leave
2 taken;
3 K. The category of family member for whom family medical leave was taken to care
4 for the family member's serious medical condition;
5 L. The time for initial claims processing and determination;
6 M. The average length of time between an application and receipt of benefits;
7 N. The average leave duration for each purpose of leave; and
8 O. Any changes in gross benefits paid compared to the previous fiscal year.

9 The administrator shall submit the annual report required by this subsection to the
10 department, the authority and the joint standing committee of the Legislature having
11 jurisdiction over labor matters.

12 **Sec. 3. 26 MRSA §850-P**, as enacted by PL 2023, c. 412, Pt. AAA, §7, is amended
13 to read:

14 **§850-P. Implementation**

15 Contributions must begin January 1, 2025 to provide funds for the fund. The
16 administrator shall begin processing claims on ~~May 1, 2026~~ November 1, 2027, except that,
17 by ~~February 1, 2026~~ August 1, 2027, the authority shall conduct an actuarial study to ensure
18 the solvency of the fund in order to begin processing claims on ~~May~~ November 1st. If
19 additional contributions are required based on the results of the actuarial study, the
20 authority, through a majority vote, may require a one-time suspension of claims payments
21 of no longer than 3 months.

22 The administrator shall establish reasonable procedures and forms for filing claims for
23 benefits under this subchapter and shall specify what supporting documentation is
24 necessary to support a claim for benefits, including documentation required from a health
25 care provider for proof of a serious health condition.

26 **Emergency clause.** In view of the emergency cited in the preamble, this legislation
27 takes effect when approved.

28 **SUMMARY**

29 This bill delays the implementation of the paid family and medical leave benefits
30 program until July 1, 2027 and the requirement that the administrator of the program begin
31 processing claims for benefits under the program until November 1, 2027. The bill also
32 makes corresponding changes to other related implementation dates.