

# MAINE STATE LEGISLATURE

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L.D. 2117

Date: 4/7/26

(Filing No. H-989)

**HEALTH AND HUMAN SERVICES**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
132ND LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1432, L.D. 2117, "Resolve, Directing the Department of Health and Human Services to Amend Its Rule Chapter 101: MaineCare Benefits Manual, Chapter II, Section 21, Home and Community Benefits for Members with Intellectual Disabilities or Autism Spectrum Disorder"

Amend the resolve by striking out the title and substituting the following:

**'Resolve, Regarding the Process of Filling Vacancies in Certain Group Homes for Individuals with Intellectual Disabilities or Autism Spectrum Disorder'**

Amend the resolve by striking out everything after the title and inserting the following:

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

**Whereas,** certain individuals who receive services under the MaineCare waiver program serving individuals with intellectual disabilities or autism spectrum disorder and have resided in 2-person group homes for 5 years or longer face eviction because suitable housemates have not been identified to fill vacancies as required by current rule; and

**Whereas,** immediate enactment of this resolve is necessary to update rules related to filling residential vacancies in 2-person group homes to prevent certain individuals from being evicted; and

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

**Sec. 1. Department of Health and Human Services to amend MaineCare Benefits Manual; residential vacancies in 2-person group homes. Resolved:** That the Department of Health and Human Services, referred to in this resolve as "the department," shall amend its rules in Chapter 101: MaineCare Benefits Manual, Chapter II, Section 21, Home and Community Benefits for Members with Intellectual Disabilities or Autism Spectrum Disorder pertaining to filling a residential vacancy in a 2-person group

**COMMITTEE AMENDMENT**

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1 home when, on the effective day of this resolve, the remaining resident has resided at the  
2 remaining resident member's current address for at least 5 years. The amended rules must:

3 1. Require that, before a provider sends a letter to the remaining resident member in  
4 the 2-person group home in which there is a vacancy informing that the member will  
5 receive an eviction notice in 30 days if the vacancy cannot be filled, the provider and the  
6 department must, for a period of 120 calendar days, attempt to identify another member to  
7 fill the vacancy. The 120 calendar days runs from the date of vacancy; and

8 2. Establish an exception that allows the department, upon the request of a provider,  
9 to extend the 120-day period in subsection 1 if the provider demonstrates to the department  
10 that the health and safety needs of the remaining resident continue to be met and active and  
11 ongoing efforts have been made and are being made to identify a suitable housemate.

12 Extensions may be granted in increments of 60 calendar days. Extensions must be  
13 requested in writing. A request for a first extension must be submitted prior to the  
14 expiration of the initial 120-day period described in subsection 1, and a request for any  
15 subsequent extension must be submitted prior to the expiration of the current extension.

16 **Sec. 2. Federal approval; contingent effective date. Resolved:** That the  
17 department shall seek any approvals necessary from the United States Department of  
18 Health and Human Services, Centers for Medicare and Medicaid Services to implement the  
19 requirements of this resolve. If approval is not received, the requirements of section 1 of  
20 this resolve do not take effect.

21 **Sec. 3. Appropriations and allocations. Resolved:** That the following  
22 appropriations and allocations are made.

23 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**  
24 **Developmental Services Waiver - MaineCare Z211**

25 Initiative: Provides funding to cover additional expenses to MaineCare for exceptions for  
26 filling vacancies in group homes provided to residents who have been at their address for  
27 more than 5 years.

28	<b>GENERAL FUND</b>	<b>2025-26</b>	<b>2026-27</b>
29	All Other	\$0	\$349,027
30			
31	<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$349,027</b>

32 **Medical Care - Payments to Providers 0147**

33 Initiative: Provides funding to cover additional expenses to MaineCare for exceptions for  
34 filling vacancies in group homes provided to residents who have been at their address for  
35 more than 5 years.

36	<b>FEDERAL EXPENDITURES FUND</b>	<b>2025-26</b>	<b>2026-27</b>
37	All Other	\$0	\$541,120
38			
39	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$541,120</b>

40  
41 **HEALTH AND HUMAN SERVICES,**  
42 **DEPARTMENT OF**





# 132nd MAINE LEGISLATURE

LD 2117

LR 2760(02)

**Resolve, Directing the Department of Health and Human Services to Amend Its Rule Chapter 101: MaineCare Benefits Manual, Chapter II, Section 21, Home and Community Benefits for Members with Intellectual Disabilities or Autism Spectrum Disorder**

**Fiscal Note for Bill as Amended by Committee Amendment "A" (H-989)**  
**Committee: Health and Human Services**

**Fiscal Note Required: Yes**

## Fiscal Note

	FY 2025-26	FY 2026-27	Projections FY 2027-28	Projections FY 2028-29
<b>Net Cost (Savings)</b>				
General Fund	\$0	\$349,027	\$349,027	\$349,027
<b>Appropriations/Allocations</b>				
General Fund	\$0	\$349,027	\$349,027	\$349,027
Federal Expenditures Fund	\$0	\$541,120	\$539,607	\$539,607
<b>Revenue</b>				
Federal Expenditures Fund	\$0	\$541,120	\$539,607	\$539,607

### Fiscal Detail and Notes

The bill provides General Fund appropriations to the Department of Health and Human Services of \$349,027 in fiscal year 2026-27 to cover additional expenses to MaineCare for exceptions provided for filling residential vacancies in Group Homes to residents who have been at their address for more than 5 years. A Federal Expenditures Fund allocation will also be required for the FMAP match.