

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-SECOND LEGISLATURE

FIRST REGULAR SESSION
December 4, 2024 to March 21, 2025

FIRST SPECIAL SESSION
March 25, 2025 to June 25, 2025

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NONEMERGENCY LAWS IS
JUNE 20, 2025

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NONEMERGENCY LAWS IS
SEPTEMBER 24, 2025

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2025

licensed, certified or registered providers shall secure and pay for a background check prior to hiring an individual who will work in direct contact with clients, patients or residents, including a certified nursing assistant, a direct care worker or an immediate supervisor.

C. The department may secure a background check on certified nursing assistants, registered direct care workers and immediate supervisors on the registry every 2 years.

D. A person or other legal entity that is not otherwise licensed by the department and that employs or places a certified nursing assistant or direct care worker to provide services allowing direct access shall secure and pay for a background check in accordance with state law and rules adopted by the department.

Sec. C-7. 22 MRSA §1812-G, sub-§6-B, as repealed by PL 2023, c. 241, §15 and amended by c. 309, §29, is repealed.

Sec. C-8. 22 MRSA §1812-G, sub-§6-C, ¶A, as amended by PL 2023, c. 241, §16 and c. 309, §30, is repealed and the following enacted in its place:

A. A disqualifying criminal conviction prohibits employment as a certified nursing assistant or a direct access worker.

(1) An individual with a disqualifying criminal conviction is subject to an employment ban of 5, 10 or 30 years. The department shall adopt rules that specify disqualifying criminal convictions that prohibit employment for 5 years, disqualifying criminal convictions that prohibit employment for 10 years and disqualifying criminal convictions that prohibit employment for 30 years.

Sec. C-9. 22 MRSA §1812-G, sub-§6-C, ¶B, as amended by PL 2023, c. 241, §17 and c. 309, §30, is repealed and the following enacted in its place:

B. Nondisqualifying criminal convictions do not prohibit employment as a certified nursing assistant, a direct care worker or an immediate supervisor.

Sec. C-10. 22 MRSA §1812-G, sub-§6-D, as repealed by PL 2023, c. 241, §18 and amended by c. 309, §31, is repealed.

Sec. C-11. 22 MRSA §1812-G, sub-§10, as amended by PL 2023, c. 241, §20 and c. 309, §32, is repealed and the following enacted in its place:

10. Complaint investigation. The department may investigate complaints and allegations against certified nursing assistants, direct care workers or immediate supervisors of abuse, neglect, exploitation or misappropriation of property of a client, patient or resident.

Sec. C-12. 22 MRSA §1812-G, sub-§13, as amended by PL 2023, c. 241, §22 and c. 309, §34, is repealed and the following enacted in its place:

13. Substantiated finding; lifetime employment ban. A certified nursing assistant, a registered direct care worker or an immediate supervisor with a notation of a substantiated finding on the registry is banned for life from employment as a certified nursing assistant, a direct care worker or an immediate supervisor.

See title page for effective date.

CHAPTER 306

H.P. 736 - L.D. 1117

An Act to Strengthen Maine's Workforce Through Certified Preapprenticeship Training Programs

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

Sec. 1. 26 MRSA §3213, sub-§6, as enacted by PL 2021, c. 705, §12, is amended to read:

6. Funding. As funds are available, the Maine Apprenticeship Program, through the department and in consultation with the Maine Apprenticeship Council, as considered appropriate and permissible by the department, shall make available grants to support certified preapprenticeship training programs under this section. A certified preapprenticeship training program shall use the grants to provide meaningful support and stipends to facilitate enrollment and participation in the program. Support may include funding for child care, transportation, training materials, membership fees and costs, tools and personal protective equipment and reimbursement of other expenses that may be incurred by a student an individual to facilitate the student's individual's attendance and participation in the certified preapprenticeship training program; funding for assistance to address obstacles to and to identify and access services necessary for successful participation in the certified preapprenticeship training program; and funding for facilitating an individual's readiness to commence on-the-job learning in a registered apprenticeship program. Stipends may include cash payments. In allocating grants among certified preapprenticeship training programs, the Maine Apprenticeship Program shall give priority to programs that have demonstrated successful enrollment of students from historically marginalized communities. allocate at least 51% of total grant funding to support certified preapprenticeship training programs that have:

A. Demonstrated successful engagement and enrollment of and completion by individuals from historically marginalized communities and suc-

successful placement and enrollment of and completion by individuals from historically marginalized communities in registered apprenticeship programs;

B. Consistently placed individuals in registered apprenticeship programs that result in a total package value of no less than \$35 per hour upon graduation from the registered apprenticeship program, based on Maine Apprenticeship Program evaluations as required pursuant to section 3204, subsection 2. On January 15, 2026 and each January 15th thereafter, the minimum total package value amount under this paragraph must be increased by the increase, if any, in the cost of living. The increase in the cost of living is measured by the percentage increase, if any, as of August of the previous year over the level as of August of the year preceding that year in the Consumer Price Index for Urban Wage Earners and Clerical Workers, CPI-W, for the Northeast Region, or its successor index, as published by the United States Department of Labor, Bureau of Labor Statistics or its successor agency, with the amount of the minimum total package value increase rounded to the nearest multiple of 5¢; and

C. Demonstrated the provision of strong, comprehensive support services essential to ensure success, either through the use of funds provided under this subsection or through workforce funds provided by a different source.

Certified preapprenticeship training programs that cannot produce proof that graduates are employed in the field of their preapprenticeship after a period of 6 months following successful completion of their certified preapprenticeship training program or are represented by a labor organization are ineligible for grants under this subsection.

Funding for grants to support preapprenticeship training programs must be awarded to certified preapprenticeship training programs with strong direct entry links with registered apprenticeship programs through a competitive process administered by the department through the Maine Apprenticeship Program and to certified preapprenticeship training programs that train individuals for priority sectors for high-wage, in-demand jobs.

Funding for grants to support certified preapprenticeship training programs may also be used for program development, support and staffing for grantees.

Sec. 2. Department of Labor; study. The Department of Labor shall, within existing resources, conduct a study reviewing certified preapprenticeship training programs and registered apprenticeship programs in the State and in other states. The study must include an analysis of the programs reviewed, including but not limited to the funding methods of the programs.

The department shall invite relevant stakeholders to participate in the study. The department shall report its findings, including any suggested legislation, to the Joint Standing Committee on Labor by December 3, 2025. The joint standing committee may report out a bill to the Second Regular Session of the 132nd Legislature based on the report.

See title page for effective date.

CHAPTER 307

H.P. 818 - L.D. 1243

An Act Regarding the Licensing of Assisted Living Facilities

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

Whereas, placement in assisted living facilities is limited, resulting in waiting lists; and

Whereas, existing facilities that are constructing new facilities should be licensed as quickly as possible; 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 enacted by the People of the State of Maine as follows:

Sec. 1. 22 MRSA §7851, sub-§3-A, ¶B, as enacted by PL 2023, c. 176, §7, is amended to read:

B. The department may issue more than one license at the same license level to an applicant for an assisted living facility license or a residential care facility license that, on October 1, 2023, held more than one license at the same license level for services offered in the same location. The department may also issue more than one license at the same license level to an applicant for an assisted living facility license or a residential care facility license if the applicant received municipal approval and permits and project financing approvals prior to March 1, 2023 and began construction, prior to October 1, 2023, on a facility at the same license level for services offered in the same location as long as there were no quality of care and services or resident rights violations of the license substantiated prior to October 1, 2023.