

# MAINE STATE LEGISLATURE

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New Draft of: S. P. 281, L. D. 849  
FIRST REGULAR SESSION

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ONE HUNDRED AND NINTH LEGISLATURE

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**Legislative Document**

**No. 1589**

S. P. 530

In Senate, April 27, 1979

Reported by Senator Huber of Cumberland. From the Committee on Appropriations and Financial Affairs and Printed Under Joint Rules No. 2 .

MAY M. ROSS, Secretary of the Senate

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-NINE

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**AN ACT to Expand the Availability of Certain Social Services by Increasing  
Income Eligibility.**

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

**Sec. 1. 22 MRSA § 9, sub-§ 1**, as enacted by PL 1977, c. 574, is amended to read:

**1. Reasonable fees authorized.** The Department of Human Services is authorized to charge reasonable fees for any services provided under this Title ~~if, in the opinion of the commissioner, the recipient of such services has sufficient resources to pay for these services~~ **whether directly or indirectly provided by the department.** Any fees thus received shall constitute a permanent fund for use by the department as special revenue income ~~and shall be used to defray the expenses of the services charged for~~ and shall not become part of the General Fund. **Fees so generated will be utilized in accordance with federal regulations.**

**Sec. 2. 22 MRSA § 9, sub-§ 2, ¶ A, first sentence**, as enacted by PL 1977, c. 574, is amended to read:

Any fees which are paid pursuant to this subsection shall be paid to the agency which directly provides the service; ~~and, notwithstanding any provision in subsection 1, these fees shall be used by the agency to defray the expenses of services charged for and shall proportionately reduce reimbursements to the agency by the department for those services.~~

**Sec. 3.** 22 MRSA § 9, sub-§ 2, ¶ C, as enacted by PL 1977, c. 574, is repealed.

**Sec. 4.** 22 MRSA § 9, sub-§ 2, ¶ D, as enacted by PL 1977, c. 574, is amended to read:

**D.** In establishing any sliding fee scale for the payment for services specified in this subsection, the department shall take into account ~~at least~~ gross family income, ~~and family size and indebtedness.~~

**Sec. 5.** 22 MRSA § 9, sub-§ 3, ¶ B, as enacted by PL 1977, c. 574, is repealed.

**Sec. 6.** 22 MRSA § 9, FEE SCALE, as enacted by PL 1977, c. 574, is repealed.

**Sec. 7.** 22 MRSA § 9, sub-§§ 4 and 5 are enacted to read:

**4. Review annually.** The Department of Human Services shall review the day care fee scale at least annually and adjust the fee as the median income used as a basis in determining eligibility for service is adjusted. Fees shall be charged those persons between 60% and 115% of the state median income.

The sliding fee scale for child day care shall be a progressive fee schedule and positively relate to the person's ability to pay.

**5. Formula for 1979-80 income guidelines.** The formula to be applied to the 1979-80 income guidelines and all subsequent annual revisions of the state median income shall be:

**A.** The amount of the fee as a percentage of the person's income shall increase with income. The amount of increase in percentage shall be limited to 1% of the gross weekly income of a family of 4 between 60% and 115% of state median income, not to exceed 11%. The state median income shall be divided into 12 income increments.

#### STATEMENT OF FACT

The intent of this legislation is to amend the original child care fee scale to reflect the use of a fee scale formula. The inclusion of a formula allows for simplification of the process of determining the fee scale at such time that the state median income is adjusted. This is in keeping with the intent of the original fee scale legislation. A sliding fee scale will proportionately expand services by having the recipient pay a portion of the cost of day care services.

The intent of this new draft is to allow the Department of Human Services more flexibility in determining the proportion of allocation of fee income.