

MAINE STATE LEGISLATURE

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L.D. 1071

(Filing No. H-533)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 767, L.D. 1071, Bill, "An Act to Authorize the Department of Human Services to Implement the Provisions of the United States Family Support Act of 1988"

Amend the bill by inserting after the title the following:

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

Whereas, unless this legislation is enacted as an emergency measure, the medical assistance program under the Additional Support for People in Retraining and Education Program will be repealed prior to the expiration of the 90-day period; and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,'

Further amend the bill by striking out all of section 2.

Further amend the bill in section 3 in that part designated "§3781." by striking out all of subsection 1 and inserting in its place the following:

'1. Administration. The Additional Support for People in Retraining and Education Program shall be administered by the Department of Human Services and ~~jointly operated by the Department of Human Services, the Department of Labor and other state agencies having responsibilities relating to the goals of this program.~~ The Department of Human Services may shall, consistent with the goals of the Additional Support for People in Retraining and Education Program, contract with the Department of Labor to implement this program ~~in selected areas of the~~

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1 State. The department may also contract with other public
3 agencies, as well as private agencies and individuals, to
implement this program in selected areas of the State.'

5 Further amend the bill in section 3 in that part designated
7 "§3781." in subsection 4 in the 2nd and 3rd lines from the end
(page 2, lines 3 and 4 in L.D.) by striking out the following:
9 "provided; however," and inserting in its place the following:
'if'

11 Further amend the bill in section 3 in that part designated
13 "§3781." in the 3rd line from the end (page 2, line 12 in L.D.)
by striking out the following: "enacted" and inserting in its
15 place the following: 'adopted'

17 Further amend the bill by striking out all of sections 4, 5
and 6 and inserting in their place the following:

19 'Sec. 4. 22 MRSA §3782, sub-§2, as enacted by PL 1987, c. 856,
21 §§7 and 10, is amended to read:

23 2. Coordination. ~~The program shall be jointly operated by~~
~~the Department of Labor and the Department of Human Services. The~~
25 program shall be coordinated as follows:

27 A. In areas where the Department of Human Services and the
Department of Labor jointly provide service, the Department
29 of Human Services is responsible for coordinating the
following functions: Identification of the program
31 participant's pre-training needs; provisions of
pre-vocational training as it relates to social development
and life skills adjustment; provision of support services;
33 and case management services for the participant's period of
enrollment. The Department of Labor is responsible for
35 coordinating the following functions: Identification of
training needs; provision of pre-vocational training as it
37 relates to employability development; provision of skills
training; provision of access to education; and job
39 placement.

41 B. In areas where the Department of Human Services
contracts with the Department of Labor, all the functional
43 responsibilities referenced in paragraph A shall be assumed
by the Department of Labor's job training program
45 established pursuant to Title 26, chapter 25.

47 Sec. 5. 22 MRSA §3783, as enacted by PL 1987, c. 856, §§7 and
49 10, is amended by adding at the end a new paragraph to read:

51 This section is repealed April 1, 1990.

Sec. 6. 22 MRSA §3783-A is enacted to read:

1
3 §3783-A. Transitional services

5 1. Transitional services. Effective April 1990, the
7 department shall establish a program to provide transitional
9 child care and transportation services to former recipients of
11 the Aid to Families with Dependent Children program who have
13 become ineligible for payments under that program because of
15 increased earnings from employment, increased hours of employment
or loss of the so-called 30 and 1/3 earned income disregard.
Transitional child care may be available for up to 12 months.
Transitional transportation services may be available for up to 6
months depending upon the availability of funds. Eligibility for
transitional services begins in the month in which ineligibility
for Aid to Families with Dependent Children assistance begins if:

17 A. The family unit received Aid to Families with Dependent
19 Children assistance in at least 3 of the 6 months
immediately preceding the month of ineligibility;

21 B. The family unit includes a child who, throughout the
23 transition period, meets the definition of dependent child
in the United States Social Security Act, Section 406(a); and

25 C. The caretaker relative of the family unit, as defined in
27 the United States Social Security Act, Section 406(a), has
29 not quit employment without good cause and has not failed to
cooperate with the State in establishing or enforcing the
caretaker's client support obligations.

31 2. Sliding fee scale. The department shall establish a
33 sliding fee scale formula to determine the family's ability to
contribute to the cost of transitional child care services.

35 3. Child care standards. Child care provided pursuant to
37 this section must meet minimum standards of health and safety
required by state law.

39 Sec. 7. 22 MRSA §3784, sub-§7, as enacted by PL 1987, c. 856,
41 §§7 and 10, is repealed and the following enacted in its place:

43 7. Sunset. This section is repealed on April 1, 1990.

45 Sec. 8. 22 MRSA §3784-A is enacted to read:

47 §3784-A. Extended medical assistance

49 1. Twelve-month extension. To families who become
ineligible for Aid to Families with Dependent Children assistance
on or after April 1, 1990, the department shall provide extended

1 medical assistance in accordance with the United States Social
2 Security Act, Section 1925.

3
4 2. Premium. If the family chooses to accept the 2nd
5 6-month extension, the department shall impose a premium for
6 extended coverage in accordance with the United States Social
7 Security Act, Section 1925(b) and the regulations promulgated
8 pursuant to that Act.

9
10 3. Coverage provided by private insurers. The department
11 may adopt the option available to the State under the United
12 States Social Security Act, Section 1925(a)(4) and, during the
13 initial 6-month extension and the 2nd 6-month extension period,
14 if accepted by the family, may pay the family's expense for
15 premiums, deductibles, copayments or similar costs for health
16 insurance or other health coverage available from any insurer
17 authorized to write insurance in this State, offered by the
18 employer of a caretaker relative or available from some other
19 program providing medical coverage, if doing so is more cost
20 effective. The department shall require the caretaker relative,
21 as a condition of the extension of coverage under this section,
22 to apply for health coverage:

23
24 A. If that coverage is offered by an employer of the
25 caretaker relative or of the absent parent of a dependent
26 child; and

27
28 B. If the caretaker relative is not required to make a
29 financial contribution for that coverage.

30
31 4. Third-party liability. The department shall seek
32 reimbursement from any 3rd party who is liable to pay for medical
33 care and services available under this section in all cases when
34 the amount of reimbursement the State reasonably expects to
35 recover exceeds the costs of recovery. Payments for premiums,
36 deductibles, coinsurance and similar expenses under this section
37 shall be considered to be payments for medical assistance.'

38
39 Further amend the bill by renumbering the sections to read
40 consecutively.

41
42 Further amend the bill by inserting at the end before the
43 statement of fact the following:

44
45
46 **FISCAL NOTE**

47
48 The Department of Human Services has indicated there may be
49 fiscal implications associated with the implementation of the
50 United States Family Support Act. The potential anticipated
51 shortfall may be reduced substantially once a review of the
complex issues has been completed. It may be necessary for the

1 department to request additional funds in fiscal year 1990-91
3 once the exact financial need has been determined.'

5 **STATEMENT OF FACT**

7 The purpose of this amendment is to clarify certain
9 administrative points and extend transitional medical coverage
11 for up to 12 months to families who become ineligible for Aid to
Families with Dependent Children assistance after April 1, 1990,
due to increased earnings from employment or loss of employment
disregards.

Reported by the Committee on Human Resources
Reproduced and distributed under the direction of the Clerk of the
House
6/14/89 (Filing No. H-533)