

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1494

H.P. 1072

House of Representatives, May 4, 1989

Reference to the Committee on Human Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative CLARK of Brunswick.

Cosponsored by Senator GAUVREAU of Androscoggin, Speaker MARTIN of Eagle Lake and Representative McGOWAN of Canaan.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-NINE

An Act to Extend Medical Assistance under and Clarify Certain Provisions of the Additional Support for People in Retraining and Education Program.



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

3 **Sec. 1. 22 MRSA §3741-B**, as enacted by PL 1987, c. 856, §§2
5 and 10, is repealed and the following enacted in its place:

7 **§3741-B. Family Services Program**

9 **1. Registration.** Teenage parents may be required to
11 register in a program administered by the department specifically
13 designed to encourage completion of education and enhance
15 self-sufficiency. The program shall be known as the Family
17 Services Program.

19 **2. Prohibition against disqualification.** Failure to
21 register and actively participate in this program may not result
23 in ineligibility for benefits under this chapter or chapter 1053,
25 1053-A or 1054.

27 **3. Case management.** Each person participating in the
29 Family Services Program shall have a case manager. The case
31 manager shall be responsible for:

33 **A. Assessing the participant's social, educational and**
35 supportive service needs;

37 **B. Developing, in consultation with the participant, a**
39 program plan which shall, to the maximum extent possible,
41 reflect the preferences of the participant;

43 **C. Arranging for the provision of all services identified**
45 in the plan;

47 **D. Providing counseling services to the participant; and**

49 **E. Monitoring the participant's progress throughout the**
51 plan and discussing progress with the participant as
 appropriate.

The case manager may consult with representatives of the
 Department of Human Services or the Department of Labor as
 appropriate but shall have, in consultation with the participant,
 the exclusive responsibility for developing and coordinating the
 participant's program plan. The case manager may recommend that
 an individual continue to participate in the Family Services
 Program between the ages of 20 and 24 if that individual would
 benefit from receiving continued services under this program
 because of the number of children in the family, the age of the
 youngest child or the rate of progress of the individual in the
 program. Upon recommendation of the case manager, registration
 in the Family Services Program shall be considered to be
 registration for employment-related activities within the meaning

1 of United States Code, Title 42, Section 602, Subsection 19 and
3 any successor provision.

5 4. Allocation of funds. A minimum of 7% of the total
7 Additional Support for People in Retraining and Education Program
9 funds shall be allocated to the Family Services Program and shall
11 be used to provide administrative support, case management,
13 education and training services and supportive services for the
15 benefit of program participants.

17 5. Participant's residence. There shall be no
19 discrimination in the provision of Family Services Program
21 services to teenage parents on the basis of their living
23 situation. Teenage parents receiving Aid to Families with
25 Dependent Children benefits and living with a parent or another
27 responsible adult shall be eligible for program services and be
29 given the same opportunity to participate in the program as those
31 who do not live with a parent or other responsible adult.

33 6. Rules required. The Department of Human Services shall
35 promulgate rules, in accordance with the Maine Administrative
37 Procedure Act, Title 5, chapter 375, subchapter I, for the
39 operation of the Family Services Program. These rules shall
41 provide the same education and training opportunities and
43 supportive services as provided to others who are not teenage
45 parents under the Additional Support for People in Retraining and
47 Education Program.

49 7. Report required. The Department of Human Services and
51 the Department of Labor shall include in their joint report
submitted to the joint standing committee of the Legislature
having jurisdiction over human resource matters due on or before
February 14, 1990, the following information:

A. The number of program participants enrolled in an
educational program at least one month prior to delivery
expressed as a percent of total participants who delivered
while enrolled in the program;

B. The number of program participants enrolled in an
educational program at least one month prior to delivery who
returned to an educational program after delivery and the
average length of time between delivery and their return;

C. The number of program participants enrolled in an
educational program at least one month prior to delivery who
did not return to an educational program after delivery
while registered with the Family Services Program;

D. The number of program participants not enrolled in an
educational program at least one month prior to delivery who

1 enrolled after delivery and the average length of time
2 between delivery and enrollment;

3
4 E. The housing status of teenage parents participating in
5 the program; and

6
7 F. If supportive services other than child care,
8 transportation, books and educational supplies were used as
9 an incentive to encourage teenage parents to participate in
10 the Family Services Program, a list of those services and
11 the number of participants to whom each was provided.

12
13 **Sec. 2. 22 MRSA §3784, sub-§1, as enacted by PL 1987, c. 856,**
14 **§§7 and 10, is amended to read:**

15
16 **1. Program established; eligibility.** The department may
17 provide extended medical assistance to former recipients of the
18 Aid to Families with Dependent Children Program program who have
19 become ineligible for financial assistance under that program
20 because of earnings from employment obtained as a result of
21 participation in the Additional Support for People in Retraining
22 and Education Program. Families with gross monthly income
23 equaling more than 150% of the federal poverty income guidelines
24 shall be ineligible for extended medical assistance under this
25 section.

26
27 In each notice of termination of assistance under the Aid to
28 Families with Dependent Children program sent to a family meeting
29 the requirements of this subsection, the department shall notify
30 the family of its right to extended medical assistance under this
31 section including a description of the potential for additional
32 assistance available under subsection 4.

33
34 **Sec. 3. 22 MRSA §3784, sub-§5-A is enacted to read:**

35
36 **5-A. Failure to pay any premium.** If a family fails to pay
37 any premium for a month, under subsection 5, by the 21st day of
38 the following month, the extension shall terminate at the close
39 of that following month, unless the individual has established
40 good cause in accordance with rules established by the department
41 for the failure to pay such premium on a timely basis.

42
43 On the 21st day of the month following the month for which
44 payment was due, the individual shall be sent written notice that
45 the extension will terminate at the close of that month, and of
46 the opportunity to demonstrate good cause.

47
48 **Sec. 4. 22 MRSA §3784, sub-§7, as enacted by PL 1987, c. 856,**
49 **§§7 and 10, is repealed and the following enacted in its place:**

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

1 3. Readability. All notices, applications, decisions and
3 other written material intended to be read by program applicants
5 or participants shall be designed to be easily understood, and
7 shall have a readability score as determined by a recognized
9 instrument for measuring adult literacy equivalent to no greater
11 than 6th grade reading level.

12 4. Provision of support services. Payment for support
14 services shall be furnished within 10 days to, or on behalf of,
16 eligible individuals, and shall be continued regularly for all
18 eligible individuals until they are found to be ineligible. The
20 program must assist eligible participants to secure support
22 services immediately when those services are immediately
24 necessary to enable the individual to participate in an approved
26 education, training or employment plan.

27 5. Education and training service. When a particular
29 approved education or training service is available at comparable
31 cost from more than one provider, program participants may enroll
33 with the provider of their preference.

34 6. Allocation of funds; contract agencies. All contracts
36 between the Department of Human Services and the Department of
38 Labor, or their designees, for the purposes established in
40 section 3782 shall provide that:

41 A. No more than 15% of total contract funds may be used for
43 administration and case management;

44 B. No more than 30% of total contract funds may be used for
46 employment and training services. The term "employment and
48 training services" shall mean tuition, mandatory educational
50 fees, assessment, testing, or other training services
52 related to career transition and exploration job readiness
54 and job search and development; and

55 C. The remainder of the contract funds shall be used for
57 participant support services. For purposes of this
59 paragraph, support services shall include all services other
61 than those specified in paragraph B, including transitional
63 support services, identified in the participant's
65 employability plan.

66 7. Report. The Department of Human Services and the
68 Department of Labor shall include in their joint report submitted
70 to the joint standing committee of the Legislature having
72 jurisdiction over human resource matters due on or before
74 February 14, 1990, a statement of total program dollars, average
76 dollars per participant and number of participants receiving the
78 following services in fiscal year 1989-90 and the first half of
80 fiscal year 1990-91:

- 1 A. Child care;
- 3 B. Transportation;
- 5 C. An assessment in excess of one session;
- 7 D. Career transition and exploration workshop;
- 9 E. Job readiness workshop; and
- 11 F. Job search and development workshop.

13 With respect to paragraphs C through F, the report shall indicate
15 the number of participants receiving services from a Job Training
17 Partnership Act agency and the number of participants receiving
 services by contract with other providers including the program
 name of those other providers.

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21

STATEMENT OF FACT

23

 This bill makes certain clarifications and improvements in
the Additional Support for People in Retraining and Education
Program, or ASPIRE.

25

27

 Section 1 provides that teenage parents may be required to
register in the Family Services Program, designed to encourage
the completion of education and to enhance self-sufficiency. It
requires that each person participating in the Family Services
Program have a case manager. It further specifies that a portion
of the total ASPIRE program funds be allocated to the Family
Services Program, and requires additional information in the
joint report submitted by the Department of Human Services and
the Department of Labor to the Legislature due on February 14,
1990.

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 Section 2 requires that all ASPIRE participants who lose
their Aid to Families with Dependent Children benefits as a
result of finding work through the program receive written notice
of their eligibility for extended medical assistance.

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 Section 3 provides for families to receive notice and an
opportunity for hearing before their medical benefits under the
ASPIRE program are terminated.

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 Section 4 repeals the state-funded provision of medical
benefits under the ASPIRE program on the date that transitional
medical services becomes effective under the new Family Support
Act of 1988.

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51

1 Section 5 enacts the transitional medical assistance
2 provisions of the Family Support Act of 1988 on the date that
3 that program becomes effective and available to states.

5 Section 6 requires that individuals receive notice of all
6 ASPIRE program benefits and be given the opportunity to apply for
7 them and receive a written decision detailing their eligibility.
8 It requires that program benefits be made available promptly and
9 that the individual be given a choice of providers offering a
10 particular service at comparable cost. It further specifies how
11 program funds for supportive services shall be allocated and
12 requires additional information in the departments' report to the
13 Legislature due on February 14, 1990.