

# MAINE STATE LEGISLATURE

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# 121st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2003

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Legislative Document

No. 1588

H.P. 1161

House of Representatives, April 28, 2003

**Resolve, Regarding Legislative Review of Portions of the MaineCare  
Benefits Manual, Chapter 11 and Chapter 111, Section 40, Home  
Health Services, a Major Substantive Rule of the Department of  
Human Services, Bureau of Medical Services**

(EMERGENCY)

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Reported by Representative KANE of Saco for the Department of Human Services  
pursuant to the Maine Revised Statutes, Title 5, section 8072.

Reference to the Committee on Health and Human Services suggested and ordered printed  
under Joint Rule 218.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

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

**Whereas**, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas,** the above-named major substantive rule has been submitted to the Legislature for review; and

**Whereas**, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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. Adoption. Resolved:** That final adoption of Portions of the MaineCare Benefits Manual, Chapter 11 and Chapter 11l, Section 40: Home Health Services, a provisionally adopted major substantive rule of the Department of Human Services, Bureau of Medical Services that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

**Emergency clause.** In view of the emergency cited in the preamble, this resolve takes effect when approved.

## SUMMARY

This resolve provides for legislative review of Portions of the MaineCare Benefits Manual, Chapter 11 and Chapter 111, Section 40: Home Health Services, a major substantive rule of the Department of Human Services, Bureau of Medical Services.