

# MAINE STATE LEGISLATURE

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# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 828

H.P. 579

House of Representatives, March 5, 2013

**An Act To Improve the Administration of the Child Care Subsidy  
Program and To Prevent Erroneous Termination of Child Care  
Services**

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Reference to the Committee on Health and Human Services suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative GATTINE of Westbrook.  
Cosponsored by Representatives: CASSIDY of Lubec, FARNSWORTH of Portland,  
GRAHAM of North Yarmouth.

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

2 **Sec. 1. 22 MRSA §3736, sub-§§3 and 4** are enacted to read:

3 **3. Extension.** If an applicant, for circumstances beyond the reasonable control of  
4 that applicant, is unable to comply with a time requirement or other eligibility rules of a  
5 child care program administered under this chapter, the department shall provide for a  
6 reasonable extension of time or a modification of the application of the rules, as  
7 appropriate to the applicant's circumstances, to allow that applicant to qualify as eligible.

8 **4. Reduction or termination of services.** A person whose child care services  
9 provided pursuant to this chapter are reduced or terminated must be afforded a reasonable  
10 opportunity, prior to the reduction or termination of services, for a fair hearing and final  
11 agency determination of child care program eligibility. This subsection does not apply  
12 when the child care services are being reduced or terminated due to a reduction in  
13 program funding.

14 **SUMMARY**

15 This bill amends the program that provides child care services to persons who meet  
16 certain income eligibility requirements to require the Department of Health and Human  
17 Services to:

18 1. Allow an applicant who is unable to comply a reasonable extension of time to  
19 meet the requirements or a modification of the application of eligibility rules; and

20 2. Prior to reducing or terminating the child care services provided to a person,  
21 provide the person an opportunity for a hearing and final agency determination, except  
22 when the reduction or termination is due to a loss of program funding.