

MAINE STATE LEGISLATURE

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127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 1385

H.P. 939

House of Representatives, May 5, 2015

**An Act To Enable a Foster Child To Remain in a Daycare Facility
Selected by a Foster Parent**

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

A handwritten signature in cursive script that reads "R(t) B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative HAMANN of South Portland.
Cosponsored by Senator HASKELL of Cumberland and
Representatives: BURSTEIN of Lincolnville, FARNSWORTH of Portland, GATTINE of
Westbrook, HEAD of Bethel, MALABY of Hancock, STUCKEY of Portland, VACHON of
Scarborough, Senator: BRAKEY of Androscoggin.

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

2 **Sec. 1. 22 MRSA §4062, sub-§5** is enacted to read:

3 **5. Child care expenses incurred by foster parents.** The department shall pay
4 100% of the child care expenses incurred by a foster parent for child care provided at a
5 child care provider selected by the foster parent in accordance with the provisions of this
6 subsection.

7 A. The child care provider must be licensed by the department.

8 B. The foster parent must demonstrate a need for child care as determined by the
9 department.

10 C. The child must meet eligibility requirements, other than financial eligibility
11 requirements, as determined by the department.

12 D. The department may stop paying a child care provider under this subsection only
13 if ending the payment is for the child's health, safety or well-being or for reasons
14 directly related to family reunification.

15 The department shall adopt rules to implement this subsection. Rules adopted pursuant to
16 this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter
17 2-A.

18 **SUMMARY**

19 This bill requires the Department of Health and Human Services to pay 100% of the
20 child care expenses incurred by a foster parent for child care provided at a licensed child
21 care provider selected by the foster parent, subject to certain determinations of the
22 department. The bill is in response to a proposal by the department to cap daycare
23 payments.