MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 435

H.P. 268

House of Representatives, February 2, 2023

Resolve, to Ensure the Provision of Medically Necessary Behavioral Health Care Services for Children in Their Homes and Communities

(EMERGENCY)

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

ROBERT B. HUNT

R(+ B. Hunt

Clerk

Presented by Representative GRAMLICH of Old Orchard Beach.

Cosponsored by Senator INGWERSEN of York and

Representatives: CRAFTS of Newcastle, CRAVEN of Lewiston, GATTINE of Westbrook, GRAHAM of North Yarmouth, GRIFFIN of Levant, JAVNER of Chester, MADIGAN of Waterville, ZAGER of Portland.

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

Whereas, children continue to wait for behavioral health care services within the State; and

Whereas, many children are receiving behavioral health care services outside the State; and

Whereas, Maine needs solutions to this problem immediately to address waiting lists and ensure that the State is in compliance with federal requirements; 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. Department of Health and Human Services to develop a plan for children's behavioral health care services. Resolved: That the Department of Health and Human Services shall develop a plan to ensure that medically necessary home-based and community-based behavioral health care services for children are available in the scope, intensity and duration necessary to meet the needs of children and their families in each county and region in the State. The plan must include an assessment of and plan for the needs of children currently in institutional settings within the State and outside the State. The plan must identify clear steps and timelines for implementation and it must identify any additional resources needed to implement the plan. The department shall submit the plan to the Joint Standing Committee on Health and Human Services no later than October 1, 2023.

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

26 SUMMARY

 This resolve directs the Department of Health and Human Services to develop a plan to ensure that medically necessary home-based and community-based behavioral health care services are available in the scope, intensity and duration necessary to meet the needs of children and their families in the State. It directs the department to submit the plan to the Joint Standing Committee on Health and Human Services no later than October 1, 2023.