

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 507

S.P. 224

In Senate, February 9, 2023

**An Act to Improve Outcomes for Youth Transitioning from State
Care by Reducing Barriers to Maintaining Health Care Coverage**

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator CURRY of Waldo.

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

2 **Sec. 1. 22 MRSA §3174-G, sub-§1, ¶G-1**, as amended by PL 2021, c. 519, §6, is
3 further amended by amending subparagraph (2) to read:

4 (2) A child under 21 years of age; ~~and~~

5 **Sec. 2. 22 MRSA §3174-G, sub-§1, ¶H**, as enacted by IB 2017, c. 1, Pt. A, §3, is
6 amended by amending the last blocked paragraph to read:

7 The department shall adopt rules, including emergency rules pursuant to Title 5, section
8 8054 if necessary, to implement this paragraph in a timely manner to ensure that the
9 persons described in this paragraph are enrolled for and eligible to receive services no
10 later than 180 days after the effective date of this paragraph. Rules adopted pursuant
11 to this paragraph are routine technical rules as defined by Title 5, chapter 375,
12 subchapter 2-A; and

13 **Sec. 3. 22 MRSA §3174-G, sub-§1, ¶I** is enacted to read:

14 I. No later than July 1, 2024, a person 18 years of age or older and under 26 years of
15 age who qualifies for medical assistance pursuant to 42 United States Code, Section
16 1396a(a)(10)(A)(i)(IX).

17 The department shall enroll a person eligible under this paragraph in the MaineCare
18 program before the person attains 18 years of age or is emancipated from the foster
19 care system. The department may not require a person eligible under this paragraph to
20 submit eligibility information following the date of the person's initial enrollment in
21 the MaineCare program or during the period the person is eligible under this paragraph.

22 **Sec. 4. State plan amendment or waiver.** No later than 90 days after the effective
23 date of this Act, the Department of Health and Human Services shall submit a state plan
24 amendment or waiver, as determined necessary by the department, to the United States
25 Department of Health and Human Services, Centers for Medicare and Medicaid Services.

26 SUMMARY

27 This bill requires the Department of Health and Human Services, no later than July 1,
28 2024, to enroll children who are in foster care in the MaineCare program and to maintain
29 their enrollment until they reach 26 years of age. The bill requires that the department waive
30 the annual eligibility determination for the MaineCare program during this period and
31 requires that the department, no later than 90 days after the effective date of this legislation,
32 submit a state plan amendment or waiver, as determined necessary by the department, to
33 the United States Department of Health and Human Services, Centers for Medicare and
34 Medicaid Services.