

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



131st MAINE LEGISLATURE

SECOND REGULAR SESSION-2024

Legislative Document

No. 2082

S.P. 875

In Senate, January 3, 2024

**An Act to Ensure the Financial Stability of Behavioral Health
Services Providers and Housing Assistance Providers**

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

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 BENNETT of Oxford.

Cosponsored by Representative SACHS of Freeport and

Senators: BALDACCI of Penobscot, ROTUNDO of Androscoggin, TIMBERLAKE of Androscoggin, Representatives: CARLOW of Buxton, MATLACK of St. George,

SALISBURY of Westbrook, SHAGOURY of Hallowell, Speaker TALBOT ROSS of Portland.

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

3 **Whereas,** the Department of Health and Human Services has been slow to finalize
4 contracts with and make payments to behavioral health services providers and housing
5 assistance providers under the Bridging Rental Assistance Program and the federal shelter
6 plus care program; and

7 **Whereas,** the department relies on these providers to provide services; and

8 **Whereas,** delays in contract awards, finalization and payments have required
9 providers to access loans or lines of credit to bridge temporary financial gaps; and

10 **Whereas,** without timely payments from the department, providers must pay
11 expenses, including rent to landlords for housing, out of the provider's own line of credit,
12 which can create cash flow challenges that threaten the provider's solvency; and

13 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
14 the meaning of the Constitution of Maine and require the following legislation as
15 immediately necessary for the preservation of the public peace, health and safety; now,
16 therefore,

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

18 **Sec. 1. 34-B MRSA §3012** is enacted to read:

19 **§3012. Administrative expenses and interest charged to providers accessing lines of**
20 **credit or loans**

21 The department shall pay administrative expenses and interest charged on lines of
22 credit or loans accessed by behavioral health services providers and housing assistance
23 providers when a delay in awarding, finalization or payment of a department contract
24 requires the provider to access the line of credit or loan. For purposes of this section,
25 "housing assistance providers" include the Bridging Rental Assistance Program established
26 in section 3011 and the federal shelter plus care program authorized by the federal
27 McKinney-Vento Homeless Assistance Act, Public Law 100-77 (1987) as amended by the
28 federal Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009,
29 Public Law 111-22, Division B (2009).

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

32 **SUMMARY**

33 This bill requires the Department of Health and Human Services to pay administrative
34 expenses and interest charged on lines of credit or loans accessed by behavioral health
35 services providers and housing assistance providers when a delay in department contract
36 award, finalization or payments requires the provider to access the line of credit or loan.