

MAINE STATE LEGISLATURE

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Date: 4/12/24

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STATE OF MAINE
SENATE
131ST LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT " A " to COMMITTEE AMENDMENT "A" to H.P. 1426,
L.D. 2225, "An Act to Provide Funding to Rebuild Infrastructure Affected by Extreme
Inland and Coastal Weather Events"

Amend the amendment by inserting after the title the following:

'Amend the bill by striking out the title and substituting the following:

'An Act to Support the People of Maine Through Improvements to Mental and Behavioral Health and Social Safety Net Programs and by Rebuilding Infrastructure Affected by Extreme Weather Events' '

Amend the amendment by inserting after the title the following:

'Amend the bill by striking out the emergency preamble and substituting the following:

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

Whereas, the safety, health and mental well-being of the residents of this State are of paramount importance; and

Whereas, the purpose of this legislation is to improve the physical and mental health of the State's residents by providing much-needed support for children and adults in the welfare system, adults with substance use disorder and children and adults with severe behavioral health diagnosis; and

Whereas, this legislation provides support to the State's oldest and most vulnerable adults by preventing closures of nursing facilities and preserving access to long-term care; and

Whereas, this legislation strengthens public safety, health and well-being by expanding services and coordinating violence prevention resources; and

Whereas, this legislation provides funding for infrastructure adaptation, repair and improvements that support public safety, protection of essential community assets, regional economic needs and long-term infrastructure resiliency to ameliorate some of the damage caused by recent storms; and

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HEALTH AND HUMAN SERVICES, DEPARTMENT OF

Medical Care - Payments to Providers 0147

Initiative: Provides funding for an increase in case management services due to eligibility requirement changes.

GENERAL FUND	2023-24	2024-25
All Other	\$0	\$909,940
GENERAL FUND TOTAL	\$0	\$909,940

FEDERAL EXPENDITURES FUND	2023-24	2024-25
All Other	\$0	\$5,869,233
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$5,869,233

Office of Substance Abuse & Mental Health Srv-Medicaid Seed Z202

Initiative: Provides funding for an increase in case management services due to eligibility requirement changes.

GENERAL FUND	2023-24	2024-25
All Other	\$0	\$920,925
GENERAL FUND TOTAL	\$0	\$920,925

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF
DEPARTMENT TOTALS**

	2023-24	2024-25
GENERAL FUND	\$0	\$1,830,865
FEDERAL EXPENDITURES FUND	\$0	\$5,869,233
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$7,700,098

Sec. C-3. Effective date. This Part takes effect July 1, 2024.

PART D

Sec. D-1. Department of Health and Human Services to increase availability of behavioral health services in rural areas. The Department of Health and Human Services, referred to in this section as "the department," shall increase the availability of behavioral health services to children and adults for families involved in the child welfare system. The department shall:

1. Offer grants or other incentives to behavioral health providers to expand programs into rural areas and serve children and adults in families involved in the child welfare system; and

2. Establish a method of reimbursing providers of services to families involved in the child welfare system to meet together and coordinate services for each family.

1 OTHER SPECIAL REVENUE FUNDS TOTAL \$0 \$376,647

2 **Mental Health Services - Community Medicaid Z201**

3 Initiative: Provides funding for reimbursement for treatment of personality disorder and
4 emotional dysregulation in MaineCare.

5	GENERAL FUND	2023-24	2024-25
6	All Other	\$0	\$1,870,120
7			
8	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$1,870,120</u>

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10 **HEALTH AND HUMAN SERVICES,**
11 **DEPARTMENT OF**
12 **DEPARTMENT TOTALS**

13		2023-24	2024-25
14	GENERAL FUND	\$0	\$1,870,120
15	FEDERAL EXPENDITURES FUND	\$0	\$4,030,689
16	OTHER SPECIAL REVENUE FUNDS	\$0	\$376,647
17			
18	DEPARTMENT TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$6,277,456</u>

19 **Sec. E-3. Effective date.** This Part takes effect January 1, 2025.

20 **PART F**

21 **Sec. F-1. 34-B MRSA §1228** is enacted to read:

22 **§1228. Contingency fund**

23 The department shall establish and maintain a contingency fund, referred to in this
24 section as "the fund," to provide supplemental assistance for children and adults with severe
25 behavioral health diagnoses when those needs are not met by other state or federal
26 programs. The fund is nonlapsing and must be used to supplement, not supplant, other
27 expenditures by the department to assist children and adults with severe behavioral health
28 diagnoses.

29 **1. Funds.** Money in the fund may be used by the department to assist a child or adult
30 with a severe behavioral health diagnosis in the following ways:

- 31 A. To support enhanced reimbursement rates or additional staffing needs in the child's
32 or adult's home or community;
- 33 B. To fund physical accommodations that ensure the child's or adult's home is safe; or
- 34 C. To address other needs identified by the child's or adult's family or providers of
35 services that are necessary to support the child's or adult's need.

36 **2. Sources of fund; maximum expenditures.** All money appropriated by the State
37 for the purposes of the fund must be deposited into the fund. Expenditures from the fund
38 may not exceed \$100,000 in any fiscal year.

39 **3. Rulemaking.** The department may adopt rules to implement this section. Rules
40 adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter
41 375, subchapter 2-A.

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Sec. F-2. Appropriations and allocations. The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF
Office of Substance Abuse and Mental Health Services Z199**

Initiative: Provides ongoing appropriations for a contingency fund to provide supplemental assistance for children and adults with severe behavioral health diagnoses when those needs are not met by other state or federal programs.

GENERAL FUND	2023-24	2024-25
All Other	\$0	\$100,000
GENERAL FUND TOTAL	\$0	\$100,000

Sec. F-3. Effective date. This Part takes effect July 1, 2024.

PART G

Sec. G-1. Appropriations and allocations. The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF
Mental Health Services - Community Z198**

Initiative: Provides funding to bridge the gap for mental health organizations participating in certified community behavioral health clinic projects that have been funded by federal grants from the United States Department of Health and Human Services, Substance Abuse and Mental Health Services Administration for the past 2 years.

GENERAL FUND	2023-24	2024-25
All Other	\$0	\$2,000,000
GENERAL FUND TOTAL	\$0	\$2,000,000

Sec. G-2. Effective date. This Part takes effect July 1, 2024.

PART H

Sec. H-1. Department of Health and Human Services to design and implement a community-based model of care for adolescent mental health. The Department of Health and Human Services shall design and implement a community-based model of care that addresses the acute mental health needs of adolescents with co-occurring disorders. The model of care must support adolescents following discharge from residential care for substance use disorder treatment or address urgent treatment needs during times when residential care for substance use disorder treatment is not available or desired by the adolescents, the adolescent's family or the adolescent's treatment team. The model of care must include the use of the so-called assertive continuing care protocol. No later than December 3, 2026, the Department of Health and Human Services shall submit to the joint standing committee of the Legislature having jurisdiction over health and human services matters a report demonstrating the efficacy of the model of care and sufficient data to aid in the development of a future MaineCare reimbursement rate.

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Sec. H-2. Appropriations and allocations. The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF
Office of Child and Family Services - District 0452**

Initiative: Provides a one-time appropriation for the Department of Health and Human Services to design and implement a community-based model of care that addresses the needs of adolescents with co-occurring disorders.

GENERAL FUND	2023-24	2024-25
All Other	\$0	\$1,000,000
GENERAL FUND TOTAL	<hr/> \$0	<hr/> \$1,000,000

Sec. H-3. Effective date. This Part takes effect July 1, 2024.

PART I

Sec. I-1. Rate reform for nursing facilities. The Department of Health and Human Services, when conducting its review of reimbursement rates paid to nursing facilities pursuant to the Maine Revised Statutes, Title 22, section 3173-J, shall consider the following for inclusion in any new rates paid to nursing facilities under rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 67, Principles of Reimbursement for Nursing Facilities:

1. Increase the reimbursement rates to nursing facilities, other than rural nursing facilities, to provide for a supplemental allowance per patient per day that is the difference between the amount reimbursed by the MaineCare program and the MaineCare allowable costs as reported in the as-filed MaineCare 2022 cost report, as long as the supplemental allowance is no more than \$90 per patient per day. Annual inflation adjustments provided pursuant to the Maine Revised Statutes, Title 22, section 1708, subsection 3, paragraph E and any one-time funding provided to nursing facilities during the COVID-19 pandemic for additional costs may not be included in the supplemental allowance. The supplemental allowance rate is cost settled against both routine and direct care components costs. For the purposes of this Part, "rural nursing facility" means a nursing facility that is not located in a Core Based Statistical Area as defined by the United States Census Bureau or that is not located within 15 miles of a critical access hospital as designated by the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services;

2. Increase the reimbursement rates to rural nursing facilities to provide for a supplemental allowance per patient per day that is the difference between the amount reimbursed by the MaineCare program and the MaineCare allowable costs as reported in the as-filed MaineCare 2022 cost report. The supplemental allowance rate is cost settled against both routine and direct care components costs; and

3. Allow for education and training costs for direct care staff to be included as a cost component under the MaineCare program for:

A. Education and training for direct care staff for certification or recertification and for any continuing education that is considered necessary for carrying out duties by direct care staff in nursing facilities;

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- 1 B. Reimbursement at the applicable rate pursuant to the Maine Revised Statutes, Title
- 2 22, section 7402 to direct care staff receiving the education and training under
- 3 paragraph A for the hours spent receiving the education and training; and
- 4 C. Reasonable costs for educators providing education and training to direct care staff
- 5 under paragraph A.

6 **Sec. I-2. Private nonmedical institutions; medical and remedial service**
 7 **facilities; assistance from unspent funds.** The Department of Health and Human
 8 Services shall direct any funds appropriated for one-time supplements or extraordinary
 9 circumstance allowances for nursing facilities within the scope of rule Chapter 101:
 10 MaineCare Benefits Manual, Chapter III, Section 67, Principles of Reimbursement for
 11 Nursing Facilities or for private nonmedical institutions within the scope of rule Chapter
 12 101: MaineCare Benefits Manual, Chapter III, Section 97, Appendix C, Medical and
 13 Remedial Service Facilities for increased costs and lost revenue due to the COVID-19
 14 pandemic that have remained unspent to be used to create additional financial assistance
 15 opportunities for private nonmedical institutions within the scope of rule Chapter 101:
 16 MaineCare Benefits Manual, Chapter III, Section 97, Appendix C, Medical and Remedial
 17 Service Facilities.

18 **Sec. I-3. Appropriations and allocations.** The following appropriations and
 19 allocations are made.

20 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**
 21 **Nursing Facilities 0148**

22 Initiative: Provides one-time funding for nursing facilities to receive a supplemental
 23 allowance per patient per day, as long as the supplemental allowance is no more than \$90
 24 per patient per day.

25 GENERAL FUND	2023-24	2024-25
26 All Other	\$0	\$31,000,000
27		
28 GENERAL FUND TOTAL	\$0	\$31,000,000

30 FEDERAL EXPENDITURES FUND	2023-24	2024-25
31 All Other	\$0	\$60,233,563
32		
33 FEDERAL EXPENDITURES FUND TOTAL	\$0	\$60,233,563

35 OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
36 All Other	\$0	\$5,823,419
37		
38 OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$5,823,419

40 **PART J**

41 **Sec. J-1. 22 MRSA §3174-LLL, sub-§2,** as enacted by PL 2023, c. 412, Pt.
 42 EEEEE, §4, is amended to read:

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2. Income eligibility. No later than ~~March~~ July 1, 2024, the department shall establish income disregards to determine eligibility so that a person with income that is no more than 185% of the federal poverty level is qualified as a qualified Medicare beneficiary and a person with income that is more than 185% and no more than 250% of the federal poverty level is qualified as a qualified individual.

PART K

Sec. K-1. Department of Health and Human Services to amend rules governing education requirements for behavioral health professionals providing services for children. No later than January 1, 2025, the Department of Health and Human Services shall amend its rule Chapter 101: MaineCare Benefits Manual, Chapter II, Section 28 and Section 65 to change the educational requirements for all behavioral health professionals providing services for children, regardless of the setting in which the service is provided, and for such behavioral health professionals to receive training to provide specialized services to allow the following educational requirements:

- 1. A minimum of 60 higher education credit hours in a related field of social services, human services, health or education;
- 2. A minimum of 90 higher education credit hours in an unrelated field; or
- 3. A high school diploma or equivalent with training and oversight as determined by the department in addition to the training provided for certification as a behavioral health professional.

In adopting rules under this section, the Department of Health and Human Services shall ensure that the training and oversight requirements for persons with a high school diploma or equivalent are consistent in both Section 28 and Section 65 of the department's rule Chapter 101: MaineCare Benefits Manual, Chapter II.

The changes to educational requirements required by this Part do not affect the requirements for behavioral health professional training and the prescribed time frames.

Sec. K-2. Training within existing resources. The Department of Health and Human Services shall amend or establish contracts to train any number of additional individuals to become behavioral health professionals providing services for children pursuant to section 1, regardless of the setting in which the service is provided, within existing resources. The department may make any changes necessary, including choosing to charge individuals or their employers fees for training, in order to offer training within existing resources.

Sec. K-3. Appropriations and allocations. The following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF

Medical Care - Payments to Providers 0147

Initiative: Provides funding for the department to amend its rule Chapter 101: MaineCare Benefits Manual, Chapter II, Section 28 and Section 65 to change the educational requirements for all behavioral health professionals providing services for children.

GENERAL FUND	2023-24	2024-25
All Other	\$0	\$552,301

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GENERAL FUND TOTAL	\$0	\$552,301
FEDERAL EXPENDITURES FUND	2023-24	2024-25
All Other	\$0	\$1,505,443
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$1,505,443
FEDERAL BLOCK GRANT FUND	2023-24	2024-25
All Other	\$0	\$82,577
FEDERAL BLOCK GRANT FUND TOTAL	\$0	\$82,577
Mental Health Services - Child Medicaid Z207		
Initiative: Provides allocations for the department to amend its rule Chapter 101: MaineCare Benefits Manual, Chapter II, Section 28 and Section 65 to change the educational requirements for all behavioral health professionals providing services for children.		
GENERAL FUND	2023-24	2024-25
All Other	\$0	\$368,201
GENERAL FUND TOTAL	\$0	\$368,201
HEALTH AND HUMAN SERVICES, DEPARTMENT OF DEPARTMENT TOTALS		
	2023-24	2024-25
GENERAL FUND	\$0	\$920,502
FEDERAL EXPENDITURES FUND	\$0	\$1,505,443
FEDERAL BLOCK GRANT FUND	\$0	\$82,577
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$2,508,522

Sec. K-4. Effective date. This Part takes effect July 1, 2024.

PART L

Sec. L-1. 22 MRSA §1708-A is enacted to read:

§1708-A. Compensation to Maine Veterans' Homes

Services provided by a veterans' facility must be reimbursed by the MaineCare program at rates established by the department pursuant to this section. This section applies to all funds, including federal funds, paid by an agency of the State to a veterans' facility for resident care. For the purposes of this section, "veterans' facility" means a nursing facility, a residential care facility or a multilevel health care facility that is operated by the Maine Veterans' Homes at any location required under Title 37-B, section 601, subsection 2.

SENATE AMENDMENT

1 1. Per resident basis. Veterans' facilities must be reimbursed on a per resident daily
 2 rate basis for services to residents covered under the MaineCare program. Different rates
 3 may be established for services equivalent to those provided by nursing homes as defined
 4 in section 1812-A, residential care facilities as defined in section 7852, subsection 14 and
 5 multilevel health care facilities as defined in section 7852, subsection 10-A.

6 2. Rate calculations. Rate calculations under this section must result in
 7 reimbursement of the portion of the total MaineCare allowable cost of operating each
 8 veterans' facility attributable to the provision of services to residents who receive
 9 MaineCare benefits. Different rates may be established for services equivalent to those
 10 provided by nursing homes as defined in section 1812-A, residential care facilities as
 11 defined in section 7852, subsection 14 and multilevel health care facilities as defined in
 12 section 7852, subsection 10-A.

13 3. Annual adjustments for inflation. Rates established pursuant to this section must
 14 be adjusted annually to reflect projected inflation for the year to which the rates will apply.

15 4. Calculation of per resident daily rate; limitation. The department may use data
 16 from other states' veterans' home programs and appropriate price indices to establish the
 17 rates required in this section, as long as the application of data from other states' veterans'
 18 home programs and price indices does not reduce reimbursement below the portion of the
 19 total MaineCare allowable cost as described in subsection 2.

20 5. Use of 3rd party. The department may contract with a 3rd party to derive or review
 21 the rates established under this section.

22 **Sec. L-2. Appropriations and allocations.** The following appropriations and
 23 allocations are made.

24 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**
 25 **Medical Care - Payments to Providers 0147**

26 Initiative: Provides funding to ensure that Maine Veterans' Homes nursing facilities are
 27 reimbursed a per resident daily rate for services that include the total allowable cost of
 28 operating a veterans' home.

29	GENERAL FUND	2023-24	2024-25
30	All Other	\$0	\$922,940
31			
32	GENERAL FUND TOTAL	\$0	\$922,940
33			
34	FEDERAL EXPENDITURES FUND	2023-24	2024-25
35	All Other	\$0	\$1,840,881
36			
37	FEDERAL EXPENDITURES FUND TOTAL	\$0	\$1,840,881
38			
39	OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
40	All Other	\$0	\$264,886
41			
42	OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$264,886

1	Nursing Facilities 0148		
2	Initiative: Provides funding to ensure that Maine Veterans' Homes nursing facilities are		
3	reimbursed a per resident daily rate for services that include the total allowable cost of		
4	operating a veterans' home.		
5	GENERAL FUND	2023-24	2024-25
6	All Other	\$0	\$2,792,478
7			
8	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$2,792,478</u>
9			
10	FEDERAL EXPENDITURES FUND	2023-24	2024-25
11	All Other	\$0	\$5,569,834
12			
13	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$5,569,834</u>
14			
15	OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
16	All Other	\$0	\$533,765
17			
18	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$533,765</u>
19	PNMI Room and Board Z009		
20	Initiative: Provides funding to ensure that Maine Veterans' Homes nursing facilities are		
21	reimbursed a per resident daily rate for services that include the total allowable cost of		
22	operating a veterans' home.		
23	GENERAL FUND	2023-24	2024-25
24	All Other	\$0	\$1,386,060
25			
26	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$1,386,060</u>
27			
28	HEALTH AND HUMAN SERVICES,		
29	DEPARTMENT OF		
30	DEPARTMENT TOTALS	2023-24	2024-25
31			
32	GENERAL FUND	\$0	\$5,101,478
33	FEDERAL EXPENDITURES FUND	\$0	\$7,410,715
34	OTHER SPECIAL REVENUE FUNDS	\$0	\$798,651
35			
36	DEPARTMENT TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$13,310,844</u>

PART M

Sec. M-1. Strengthen and expand mental health crisis intervention mobile response services. The Department of Health and Human Services shall strengthen and expand mental health crisis intervention mobile response services in order to provide services 24 hours a day, 7 days a week. The department shall provide for the incorporation

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1 of mobile outreach peer support specialists, certified intentional peer support specialists
2 and recovery coaches, mental health law enforcement liaisons through behavioral health
3 agencies and community debriefing and critical incident response services into the existing
4 crisis services response system. The department shall also provide for ancillary services
5 that are required components of mental health crisis intervention mobile response services.
6 The funding for these ancillary services must include travel costs to and from mobile face-
7 to-face assessments not to exceed the federal per mile rate, travel time to and from mobile
8 face-to-face assessments and reimbursement for time spent on telephone conferences with
9 clients. The department shall provide reimbursement for peer support services provided as
10 mental health crisis intervention mobile response services under the MaineCare program.

11 **Sec. M-2. E-9-1-1 and 9-8-8 coordination.** By January 30, 2025, the Department of
12 Health and Human Services, in coordination with the Public Utilities Commission,
13 Emergency Services Communication Bureau and the Department of Public Safety, shall
14 ensure the coordination of services under the State's E-9-1-1 system and the State's 9-8-8
15 mobile crisis services system. By January 30, 2026, the Department of Health and Human
16 Services shall submit a status report related to the coordination of services, including
17 suggested legislation, to the joint standing committee of the Legislature having jurisdiction
18 over health and human services matters and to the joint standing committee of the
19 Legislature having jurisdiction over utilities matters. The joint standing committees may
20 each submit a bill relating to the report to the Second Regular Session of the 132nd
21 Legislature.

22 **Sec. M-3. Appropriations and allocations.** The following appropriations and
23 allocations are made.

24 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

25 **Mental Health Services - Community Z198**

26 Initiative: Provides funding to strengthen mental health crisis intervention mobile response
27 services in order to provide services 24 hours a day, 7 days a week, beginning January 1,
28 2025. This funding must provide funding for mobile outreach peer support specialists.

29	GENERAL FUND	2023-24	2024-25
30	All Other	\$0	\$1,168,299
31			
32	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$1,168,299</u>

33 **Mental Health Services - Community Z198**

34 Initiative: Provides funding to strengthen mental health crisis intervention mobile response
35 services in order to provide services 24 hours a day, 7 days a week, beginning January 1,
36 2025. This funding must provide funding for certified intentional peer support specialists
37 and recovery coaches.

38	GENERAL FUND	2023-24	2024-25
39	All Other	\$0	\$1,588,834
40			
41	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$1,588,834</u>

42 **Mental Health Services - Community Z198**

1 Initiative: Provides funding to strengthen mental health crisis intervention mobile response
2 services in order to provide services 24 hours a day, 7 days a week, beginning January 1,
3 2025. This funding must provide funding for 24 mental health law enforcement liaisons, 3
4 in each public health district, provided by the local behavioral health agencies.

5	GENERAL FUND	2023-24	2024-25
6	All Other	\$0	\$953,300
7			
8	GENERAL FUND TOTAL	\$0	\$953,300

9 **Mental Health Services - Community Z198**

10 Initiative: Provides funding to strengthen mental health crisis intervention mobile response
11 services in order to provide services 24 hours a day, 7 days a week, beginning January 1,
12 2025. This funding must provide funding for community debriefing and critical incident
13 response services.

14	GENERAL FUND	2023-24	2024-25
15	All Other	\$0	\$69,450
16			
17	GENERAL FUND TOTAL	\$0	\$69,450

18 **Mental Health Services - Community Z198**

19 Initiative: Provides funding to strengthen mental health crisis intervention mobile response
20 services in order to provide services 24 hours a day, 7 days a week, beginning January 1,
21 2025. This funding must provide funding for ancillary services that are required
22 components of mental health crisis intervention mobile response services. These ancillary
23 services include travel costs to and from mobile face-to-face assessments, not to exceed the
24 federal per mile rate, and reimbursement for time spent on telephone conferences with the
25 client.

26	GENERAL FUND	2023-24	2024-25
27	All Other	\$0	\$159,144
28			
29	GENERAL FUND TOTAL	\$0	\$159,144

30 **Mental Health Services - Community Z198**

31 Initiative: Provides a one-time appropriation for contracted consulting services.

32	GENERAL FUND	2023-24	2024-25
33	All Other	\$0	\$100,000
34			
35	GENERAL FUND TOTAL	\$0	\$100,000

36 **Office of Substance Abuse and Mental Health Services Z199**

37 Initiative: Provides funding to strengthen mental health crisis intervention mobile response
38 services in order to provide services 24 hours a day, 7 days a week, beginning January 1,
39 2025. This funding must provide funding for ancillary services that are required
40 components of mental health crisis intervention mobile response services. These ancillary
41 services include travel costs to and from mobile face-to-face assessments, not to exceed the
42 federal per mile rate, and reimbursement for time spent on telephone conferences with the
43 client.

1	All Other	\$0	\$900,000
2			
3	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$900,000</u>
4	Mental Health Services - Community Z198		
5	Initiative: Provides one-time funding for additional start-up costs to establish 2 crisis		
6	receiving centers, one each in Aroostook and Penobscot counties.		
7	GENERAL FUND	2023-24	2024-25
8	All Other	\$0	\$1,900,000
9			
10	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$1,900,000</u>
11	Mental Health Services - Community Z198		
12	Initiative: Establishes one Social Services Program Manager I position and one Social		
13	Services Manager I position to handle the new crisis receiving centers.		
14	GENERAL FUND	2023-24	2024-25
15	POSITIONS - LEGISLATIVE COUNT	0.000	2.000
16	Personal Services	\$0	\$234,914
17	All Other	\$0	\$13,576
18			
19	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$248,490</u>
20			
21	HEALTH AND HUMAN SERVICES,		
22	DEPARTMENT OF		
23	DEPARTMENT TOTALS	2023-24	2024-25
24			
25	GENERAL FUND	\$0	\$3,048,490
26			
27	DEPARTMENT TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$3,048,490</u>

28 **Sec. N-3. Effective date.** This Part takes effect July 1, 2024, except that that section
 29 that enacts the Maine Revised Statutes, Title 34-B, section 3613 takes effect April 1, 2025.

30 **PART O**

31 **Sec. O-1. 22 MRSA c. 256-B** is enacted to read:

32 **CHAPTER 256-B**
 33 **OFFICE OF VIOLENCE PREVENTION**

34 **§1427. Office of Violence Prevention**

35 **1. Office established.** The Office of Violence Prevention, referred to in this section
 36 as "the office," is established within the Maine Center for Disease Control and Prevention
 37 to coordinate and promote effective efforts to reduce violence in the State, including, but
 38 not limited to, gun violence, and related trauma and promote research regarding causes of
 39 and evidence-based responses to violence, including gun violence.

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2. Director. The commissioner shall appoint the director of the office.

3. Collaboration. To carry out its duties, the office may collaborate with other state agencies and programs, including, but not limited to, the Address Confidentiality Program established under Title 5, section 90-B; the Victims' Compensation Board established under Title 5, section 3360-A; the Department of Education; the Office of Behavioral Health established under Title 5, section 20011; the Office of the Attorney General; the Department of Public Safety; the Maine Bureau of Veterans' Services established under Title 37-B, section 501; and the violence prevention program within the department.

4. Awareness and education. The office shall increase the awareness of and educate the general public about laws and resources relating to violence prevention and conduct awareness and education campaigns in accordance with this subsection.

A. The office shall increase the awareness of and educate the general public about state and federal laws and existing resources relating to violence prevention, including:

(1) The availability of and the process for requesting protection orders, including, but not limited to, protection from abuse orders under Title 19-A, chapter 103 and protection from harassment orders under Title 5, chapter 337-A;

(2) The process for accessing available mental health and substance use disorder resources and how to refer individuals to needed mental health and substance use disorder treatment services, including suicide prevention services;

(3) The process for accessing available resources and services for domestic violence prevention;

(4) The process for reporting a lost or stolen firearm, including reporting requirements in state law;

(5) The best practices for safe storage of firearms; and

(6) Safe and responsible gun ownership, including increased awareness of the law and methods of compliance with state and federal law.

B. The office shall conduct awareness and education campaigns and develop and provide educational materials and training resources, including:

(1) Developing and providing educational materials and training resources to local law enforcement agencies, health care providers and educators to assist those agencies, providers and educators with educating the public about the laws, available resources and effective violence prevention strategies;

(2) Conducting awareness and education campaigns in a culturally competent way, including by providing materials and resources in multiple languages;

(3) Conducting awareness and education campaigns directed toward gun owners, parents and legal guardians of children and organizations that provide services to individuals and communities disproportionately affected by gun violence; and

(4) At the request of the Director of the Maine Center for Disease Control and Prevention, supporting and providing assistance for education campaigns and programs conducted by the department that are related to gun violence, including education campaigns and programs relating to the safe storage of firearms and suicide prevention.

1 The office may focus the awareness and education campaigns required under this
 2 paragraph in communities identified by the office as disproportionately affected by gun
 3 violence and use television messaging, radio broadcasts, print media, digital strategies
 4 or any other form of messaging considered effective and appropriate by the office to
 5 achieve the goals of this section.

6 **5. Grant program.** Subject to available funding, the office may establish and
 7 administer a grant program to award grants to organizations to conduct community-based
 8 violence intervention initiatives that are primarily focused on interrupting cycles of
 9 violence, including gun violence, trauma and retaliation by providing culturally competent
 10 intervention services.

11 A. To be eligible for a grant award, an organization must demonstrate the ability to
 12 conduct effective community-based violence intervention initiatives that meet the
 13 criteria described in this subsection and in rules adopted by the Maine Center for
 14 Disease Control and Prevention. The office shall prioritize awarding grants to
 15 organizations that conduct violence intervention initiatives with individuals and in
 16 communities identified as having the highest imminent risk of perpetrating or being
 17 victimimized by violence.

18 B. An initiative conducted with a grant award must use strategies that are evidence-
 19 informed and have demonstrated potential for reducing violence without contributing
 20 to mass incarceration, such as group violence interventions, evidence-based street and
 21 community outreach programs, violence interruption and crisis management programs
 22 and individualized wraparound services. To improve the effectiveness of a violence
 23 intervention initiative, a grant recipient shall conduct regular evaluations of the
 24 initiative, including community input and engagement.

25 C. The Maine Center for Disease Control and Prevention shall adopt rules necessary
 26 for the administration of the grant program, including grant application procedures,
 27 criteria for determining the amount and duration of the grants and reporting
 28 requirements for organizations that receive grants.

29 D. In administering the grant program, the office shall collaborate with stakeholders
 30 as needed to ensure equity in the distribution of grants. The office shall consult with
 31 stakeholders to develop grant priorities. Stakeholders must include individuals and
 32 families affected by violence, organizations with expertise in violence prevention and
 33 gun safety and representatives of communities of color.

34 E. By February 1, 2027, the department shall submit to the joint standing committee
 35 of the Legislature having jurisdiction over health and human services matters a report
 36 that includes the following:

37 (1) Information regarding the number of grants awarded and the amount of funding
 38 provided to each grant recipient;

39 (2) A description of violence intervention initiatives funded, including the number
 40 of individuals served and the communities served by each funded initiative; and

41 (3) Recommendations regarding the continuation of the grant program and
 42 recommendations for any changes to the program.

43 F. This subsection is repealed June 30, 2027.

1 6. Data hub. The office shall create and maintain a data hub of regularly updated and
2 accurate materials and resources as a repository for data, research and statistical
3 information regarding violence in the State, including gun violence. As part of maintaining
4 the data hub, the office shall:

5 A. Assist researchers who are seeking information regarding violence in the State;

6 B. Collaborate with researchers, including organizations that conduct gun violence
7 research, to:

8 (1) Identify gaps in available data needed to conduct violence prevention research
9 and develop strategies to improve relevant data collection in the State;

10 (2) Use existing available research to enhance evidence-based violence prevention
11 tools and resources available to communities in the State; and

12 (3) Improve the understanding of the disproportionate barriers to safety from
13 violence by encouraging disaggregation of data by race and ethnicity when
14 research is conducted; and

15 C. Promote new and relevant research regarding violence prevention and, if possible,
16 make the research accessible to researchers and the public.

17 7. Reporting requirements. The office and the department shall provide the
18 following reports relating to the office's work.

19 A. Annually, by November 30th, the office shall report to the department on the
20 activities it has conducted in the preceding 12 months. The report must include:

21 (1) Information regarding awareness and education campaigns conducted by the
22 office;

23 (2) Effective violence intervention programs identified by the office;

24 (3) Any federal grants or other funding the office applied for and whether the
25 office received those grants or other funds;

26 (4) A general summary of new and relevant research included in the office's data
27 hub under subsection 6 and the nature of research assistance provided by the office;
28 and

29 (5) Recommendations to enhance the administration and operation of the office
30 and improve the availability of services to reduce violence in the State.

31 The office shall make the report available on its publicly accessible website or on the
32 Maine Center for Disease Control and Prevention's publicly accessible website.

33 B. In its annual report to the joint standing committee of the Legislature having
34 jurisdiction over health and human services matters pursuant to section 1425, the
35 Maine Center for Disease Control and Prevention shall include a summary of the
36 office's annual report submitted under paragraph A, including recommendations under
37 paragraph A, subparagraph (5) and instructions for accessing any new and relevant
38 violence prevention research identified by the office in paragraph A, subparagraph (4).
39 The Maine Center for Disease Control and Prevention shall make the summary
40 available on its publicly accessible website.

1 **8. Rules.** The Maine Center for Disease Control and Prevention shall adopt rules to
 2 implement this chapter. Rules adopted pursuant to this subsection are major substantive
 3 rules as defined in Title 5, chapter 375, subchapter 2-A.

4 **Sec. O-2. Appropriations and allocations.** The following appropriations and
 5 allocations are made.

6 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

7 **Office of Violence Prevention N490**

8 Initiative: Establishes one Director position, one Comprehensive Health Planner II position
 9 and one Planning and Research Associate I position in the Office of Violence Prevention,
 10 General Fund and provides funding for related All Other costs.

11	GENERAL FUND	2023-24	2024-25
12	POSITIONS - LEGISLATIVE COUNT	0.000	3.000
13	Personal Services	\$0	\$356,931
14	All Other	\$0	\$20,364
15			
16	GENERAL FUND TOTAL	\$0	\$377,295

17 **Office of Violence Prevention N490**

18 Initiative: Establishes one limited-period Health Program Manager position and one
 19 limited-period Public Health Educator III position in the Office of Violence Prevention
 20 program, Federal Expenditures Fund and one limited-period Epidemiologist position in the
 21 Office of Violence Prevention program, Federal Block Grant Fund through June 12, 2027
 22 and provides funding for related All Other costs.

23	FEDERAL EXPENDITURES FUND	2023-24	2024-25
24	Personal Services	\$0	\$210,390
25	All Other	\$0	\$13,461
26			
27	FEDERAL EXPENDITURES FUND TOTAL	\$0	\$223,851

29	FEDERAL BLOCK GRANT FUND	2023-24	2024-25
30	Personal Services	\$0	\$107,404
31	All Other	\$0	\$6,903
32			
33	FEDERAL BLOCK GRANT FUND TOTAL	\$0	\$114,307

34 **Office of Violence Prevention N490**

35 Initiative: Provides ongoing funding for annual outreach and educational materials.

36	GENERAL FUND	2023-24	2024-25
37	All Other	\$0	\$500,000
38			
39	GENERAL FUND TOTAL	\$0	\$500,000

40 **Office of Violence Prevention N490**

41 Initiative: Provides ongoing funding for annual grants to communities.

1 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
2 following terms have the following meanings.

3 A. "Dangerous or deadly weapon" has the same meaning as "dangerous weapon" in
4 Title 17-A, section 2, subsection 9, paragraph C.

5 B. "Department" means the Department of Public Safety.

6 C. "Firearm" has the same meaning as in Title 17-A, section 2, subsection 12-A.

7 D. "Gun shop" means a business located in the State that sells firearms, dangerous or
8 deadly weapons or related components such as ammunition.

9 E. "Gun shop project" means a project to develop, create and distribute suicide
10 prevention educational materials.

11 **2. Administration of gun shop project.** The department shall administer a gun shop
12 project.

13 **3. Development and creation of educational materials.** In administering a gun shop
14 project under this section, the department shall contract with a statewide organization with
15 expertise in mental health for the development and creation of suicide prevention
16 educational materials.

17 A. Educational materials under this subsection must include but are not limited to
18 information on:

19 (1) Understanding and recognizing the various clinical signs, symptoms and
20 indicators of suicide risk; and

21 (2) Available suicide prevention resources.

22 B. In developing and creating educational materials under this subsection, the
23 contracted statewide organization must refer to the following:

24 (1) Gun shop projects in other states;

25 (2) Programs created or offered by organizations in the dangerous or deadly
26 weapon industry; and

27 (3) Other projects or organizations that the department determines appropriate.

28 C. Materials developed for the gun shop project must be created as written materials,
29 such as pamphlets, signs, posters, tip sheets or other media, and as an online training
30 course for firearm dealers licensed as dealers under 18 United States Code, Section
31 923(a)(3) and for gun shop customers.

32 **4. Distribution of gun shop project educational materials.** The department shall
33 ensure that the written educational materials and online training course created under
34 subsection 3 are available on the department's publicly accessible website.

35 **Sec. Q-2. Reporting requirement.** By December 1, 2026, the Department of
36 Public Safety shall submit a written report regarding the activities during the prior calendar
37 year related to the establishment and administration of the gun shop project under the Maine
38 Revised Statutes, Title 25, section 2015, including, but not limited to, the categories of
39 educational materials developed, the number of written educational materials created and
40 the number of participants in the online training course, to the joint standing committee of
41 the Legislature having jurisdiction over public safety matters.

1 **Sec. 5. Costs to General Fund and Highway Fund.** Costs to the General Fund
 2 and Highway Fund must be provided wholly or in part through a transfer of Personal
 3 Services appropriations within and between departments and agencies from the Salary Plan
 4 program, General Fund account in the Department of Administrative and Financial
 5 Services ~~in an amount not to exceed \$99,000,000 in total for the fiscal years ending June~~
 6 ~~30, 2024 and June 30, 2025 up to the full amount the salary plan has accrued as of the date~~
 7 ~~an agreement is reached with the respective bargaining agents~~ to implement the economic
 8 terms of the ~~most recent~~ collective bargaining agreements made ~~from July 2023 to~~
 9 ~~December 2023~~ by with collective bargaining agents for the State and the American
 10 Federation of State, County and Municipal Employees, the Maine State Troopers
 11 Association, the Maine State Law Enforcement Association, the Maine Service Employees
 12 Association, the Fraternal Order of Police and any other certified bargaining representative
 13 for an executive branch bargaining unit, to provide equitable treatment of employees
 14 excluded from collective bargaining pursuant to the Maine Revised Statutes, Title 26,
 15 section 979-A, subsection 6, paragraph F and, notwithstanding Title 26, section 979-D,
 16 subsection 1, paragraph E, subparagraph (3), to implement equitable adjustments for
 17 confidential employees.

18 **Sec. S-3. PL 2023, c. 406, §6** is amended to read:

19 **Sec. 6. Transfer of Personal Services appropriations between programs**
 20 **and departments; General Fund.** Notwithstanding the Maine Revised Statutes, Title
 21 5, section 1585 or any other provision of law to the contrary, available balances in the
 22 General Fund for Personal Services in fiscal year 2023-24 and fiscal year 2024-25 may be
 23 transferred by financial order between programs and departments within the General Fund
 24 upon recommendation of the State Budget Officer and approval of the Governor to be used
 25 for costs associated with ~~collective bargaining agreements~~ made with collective bargaining
 26 agents for state employees.

27 **Sec. S-4. PL 2023, c. 406, §7** is amended to read:

28 **Sec. 7. Transfer from Salary Plan program and special account funding.**
 29 The Salary Plan program, General Fund account in the Department of Administrative and
 30 Financial Services may be made available as needed in allotment by financial order upon
 31 the recommendation of the State Budget Officer and approval of the Governor to be used
 32 for the implementation of the ~~collective bargaining agreements~~ made with collective
 33 bargaining agents for state employees and for other economic items contained in this Act
 34 in fiscal year 2023-24 and fiscal year 2024-25. Positions supported from sources of funding
 35 other than the General Fund and the Highway Fund ~~must~~ may be funded from those other
 36 sources.

37 **Sec. S-5. PL 2023, c. 406, §8** is amended to read:

38 **Sec. 8. Transfer of Personal Services allocations between programs and**
 39 **departments; Highway Fund.** Notwithstanding the Maine Revised Statutes, Title 5,
 40 section 1585 or any other provision of law to the contrary, available balances in the
 41 Highway Fund for Personal Services in fiscal year 2023-24 and fiscal year 2024-25 may
 42 be transferred by financial order between programs and departments within the Highway
 43 Fund upon recommendation of the State Budget Officer and approval of the Governor to

1 be used for costs associated with ~~collective bargaining~~ agreements made with collective
2 bargaining agents for state employees.

3 **Sec. S-6. Retroactivity.** This Part applies retroactively to July 10, 2023.

4 **PART T**

5 **Sec. T-1. 22 MRSA §1714-F** is enacted to read:

6 **§1714-F. Restriction on changes to reimbursement methods**

7 Prior to July 1, 2029, the department may not alter the reimbursement methods of a
8 hospital that is reimbursed by the federal Medicare program as a prospective payment
9 system hospital and that was reimbursed by the MaineCare program as a critical access
10 hospital for outpatient services on or before January 1, 2024.

11 **Sec. T-2. Prospective payment system hospital transition plans.** The
12 Department of Health and Human Services shall work with any hospital that is reimbursed
13 by the federal Medicare program as a prospective payment system hospital and that was
14 reimbursed by the MaineCare program as a critical access hospital for outpatient services
15 on or before January 1, 2024 to determine a plan for transitioning to reimbursement by the
16 MaineCare program as a critical access hospital while maintaining financial solvency. This
17 transition plan may include but is not limited to ways in which the hospital can expand
18 services or reduce expenses. Any hospital that is reimbursed by the federal Medicare
19 program as a prospective payment system hospital and is reimbursed by the MaineCare
20 program as a critical access hospital for outpatient services shall pursue federal and state
21 provisions and programs that would improve its financial position, including but not limited
22 to wage reclassification by the Medicare Geographic Classification Review Board. By
23 March 31, 2029, the department shall submit to the joint standing committee of the
24 Legislature having jurisdiction over health and human services matters a report on any
25 transition plans developed under this section.

26 **PART U**

27 **Sec. U-1. 20-A MRSA §4016** is enacted to read:

28 **§4016. Minimum hourly wage for educational technicians and other school support**
29 **staff**

30 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
31 following terms have the following meanings.

32 A. "Educational technician" has the same meaning as in section 13001-A, subsection
33 8.

34 B. "Other school support staff" means a public school employee who is not an
35 educational technician and who is paid on an hourly basis.

36 **2. Minimum hourly wage.** Except as provided in subsection 3, for the school year
37 starting after June 30, 2025 and for each subsequent school year, the minimum hourly wage
38 for educational technicians is equal to 125% of the minimum hourly wage established in
39 Title 26, section 664, subsection 1 and the minimum hourly wage for other school support
40 staff is equal to 112.5% of the minimum hourly wage established in Title 26, section 664,
41 subsection 1.

1 that ensures that contracted behavioral and mental health service providers do not supplant
2 qualified and available school administrative unit behavioral and mental health staff.

3 3. Grant program funding based on population. In administering the grant program
4 under this section, the department shall provide grant funds according to the population of
5 a school administrative unit as follows:

- 6 A. Two hundred fifty or fewer students, \$3,000;
- 7 B. Two hundred fifty-one students to 500 students, \$6,000; and
- 8 C. More than 500 students, \$9,000.

9 **Sec. V-3. Appropriations and allocations.** The following appropriations and
10 allocations are made.

11 **EDUCATION, DEPARTMENT OF**

12 **School and Student Supports Z270**

13 Initiative: Provides ongoing funds for grants to school administrative units for contracted
14 behavioral and mental health services for students. The grants are based on the population
15 of each school administrative unit.

16 GENERAL FUND	2023-24	2024-25
17 All Other	\$0	\$1,353,000
18		
19 GENERAL FUND TOTAL	\$0	\$1,353,000

20

21 **PART W**

22 **Sec. W-1. 5 MRSA §7065, sub-§2-D, ¶A,** as enacted by PL 1993, c. 705, §2, is
23 amended to read:

24 A. Payment of a recruitment and retention adjustment may be authorized only when
25 justified by at least 2 of the following conditions:

- 26 (1) High turnover exists or long-term vacancies exist within State Government in
27 the relevant occupational classifications or job series;
- 28 (2) The relevant occupational classification or job series has a clear,
29 geographically definable labor market within which the State must compete;
- 30 (3) All appropriate recruitment and retention efforts have been attempted and have
31 proven ineffective at the current levels of compensation; or
- 32 (4) Comprehensive, verifiable documentation of labor market compensation levels
33 for the relevant occupation has been compiled to determine competitive pay levels
34 within the defined labor market. This documentation must demonstrate that a labor
35 market disparity exists and that the disparity represents a long-term, not transitory
36 or seasonal, problem.

37 **Sec. W-2. 5 MRSA §7065, sub-§2-D, ¶C,** as corrected by RR 2023, c. 1, Pt. B,
38 §38 and affected by §50, is amended to read:

39 C. To assist the officer in making a determination under paragraphs A and B, a
40 committee must be formed to evaluate each request from an agency or bargaining agent

1 for a recruitment or retention adjustment. The committee must be composed of a
 2 representative of the bureau, a representative of the employing agency or agencies and
 3 a representative of the bargaining agent, if applicable. The committee shall evaluate
 4 the request against the applicable criteria specified in paragraphs A and B and shall
 5 conduct studies as the committee considers necessary to evaluate the request. The
 6 ~~committee shall, by majority vote, provide~~ If the committee agrees on the appropriate
 7 adjustments, the committee shall issue to the officer, the agency and the bargaining
 8 agent, if applicable, ~~with~~ a report recommending and documenting adjustments
 9 authorized under this subsection. If the committee cannot agree on the appropriate
 10 adjustments, the matter must be submitted to a neutral 3rd party for a final decision and
 11 report. The neutral 3rd party may be jointly agreed upon by the officer, the agency and
 12 the bargaining agent, if applicable, or, if agreement cannot be reached, the Maine Labor
 13 Relations Board shall appoint the neutral 3rd party in accordance with the procedure
 14 outlined in Title 26, section 979-D, subsection 4, paragraph B. The officer, the agency
 15 and the bargaining agent, if applicable, shall act on ~~this~~ the report. If a funding request
 16 is necessary to implement an approved adjustment, the officer shall submit the cost
 17 items for inclusion in the Governor's next operating budget within 10 days after action
 18 on the report.

19 **Sec. W-3. Appropriations and allocations.** The following appropriations and
 20 allocations are made.

21 **ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

22 **Administration - Human Resources 0038**

23 Initiative: Establishes one Public Service Coordinator I position for recruitment and
 24 retention adjustment requests and evaluations and provides funding for related All Other
 25 costs.

26	GENERAL FUND	2023-24	2024-25
27	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
28	Personal Services	\$0	\$122,114
29	All Other	\$0	\$5,375
30			
31	GENERAL FUND TOTAL	\$0	\$127,489

32 **Administration - Human Resources 0038**

33 Initiative: Establishes one Public Service Coordinator II position to handle recruitment and
 34 retention adjustment arbitration and provides funding for related All Other costs.

35	GENERAL FUND	2023-24	2024-25
36	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
37	Personal Services	\$0	\$133,759
38	All Other	\$0	\$5,375
39			
40	GENERAL FUND TOTAL	\$0	\$139,134

41 **Administration - Human Resources 0038**

42 Initiative: Provides funding for recruitment and retention adjustments.

43	GENERAL FUND	2023-24	2024-25
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1	Personal Services	\$0	\$5,000,000
2			
3	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$5,000,000</u>
4	Administration - Human Resources 0038		
5	Initiative: Provides funding for the contracted services of arbitrators and mediators.		
6	GENERAL FUND	2023-24	2024-25
7	Personal Services	\$0	\$75,000
8			
9	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$75,000</u>
10			
11	ADMINISTRATIVE AND FINANCIAL		
12	SERVICES, DEPARTMENT OF		
13	DEPARTMENT TOTALS		
14		2023-24	2024-25
15	GENERAL FUND	\$0	\$5,341,623
16			
17	DEPARTMENT TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$5,341,623</u>

18

19 Amend the amendment on page 4 by inserting after section B-4 the following:

20 'Amend the bill by striking out the emergency clause and inserting the following:

21 **'Emergency clause.** In view of the emergency cited in the preamble, this legislation

22 takes effect when approved, except as otherwise indicated.'

23 Amend the amendment by relettering or renumbering any nonconsecutive Part letter or

24 section number to read consecutively.

25 **SUMMARY**

26 This amendment amends Committee Amendment "A" to change the title and retain the

27 transfer of \$50,000,000 from the Maine Budget Stabilization Fund, but specify that up to

28 \$30,000,000 of the funds provided must be used for projects related to wharves and piers

29 that support commercial fisheries and aquaculture businesses in this State, with the

30 remainder of the funds to be used for noncoastal municipal, state or regionally significant

31 infrastructure adaptation, repair and improvements that support public safety, protection of

32 essential community assets, regional economic needs and long-term infrastructure

33 resiliency.

34 Additionally, this amendment does the following.

35 Part C directs the Department of Health and Human Services to amend its rule Chapter

36 101: MaineCare Benefits Manual, Chapter II, Section 13.03-4 to remove from the

37 eligibility requirements for targeted case management services for adults with substance

38 use disorder the provision regarding pregnancy, living with minor children and intravenous

39 drug use.

40 Part D requires the Department of Health and Human Services to offer grants and

41 incentives to providers to expand into rural areas to provide services to children and adults

1 in families involved in the child welfare system. It provides an appropriation of \$500,000
2 for this purpose.

3 Part E, beginning January 1, 2025, provides reimbursement for the treatment of
4 personality disorder and other disorders associated with primary emotional dysregulation
5 and specifies that required reimbursement for emotional dysregulation is for disorders
6 associated with primary emotional dysregulation. This Part specifies that the
7 reimbursement must be in accordance with the statutory language describing the
8 MaineCare rate-setting system for development and maintenance of sustainable, efficient
9 and value-oriented MaineCare payment models and rates and requires that reimbursed
10 treatments are evidence-based.

11 Part F requires the Department of Health and Human Services to establish a
12 contingency fund to provide supplemental assistance for children and adults with severe
13 behavioral health diagnoses when those needs are not otherwise met by existing state or
14 federal programs. The fund is a nonlapsing fund, and expenditures are capped at \$100,000
15 per fiscal year. The funds may be used to support additional staffing, enhanced
16 reimbursement rates, physical accommodations or other identified needs. Expenditures
17 from the fund must be used to supplement, not supplant, other departmental expenditures.

18 Part G provides funding to bridge the gap from federal grants to state funding for
19 mental health organizations participating in certified community behavioral health clinic
20 projects.

21 Part H directs the Department of Health and Human Services to design and implement
22 a community-based model of care that addresses the acute mental health needs of
23 adolescents with co-occurring disorders. It appropriates one-time funds of \$965,000 for
24 this purpose. It directs the Department of Health and Human Services, no later than
25 December 3, 2026, to submit to the joint standing committee of the Legislature having
26 jurisdiction over health and human services matters a report demonstrating the efficacy of
27 the model of care and sufficient data to aid in the development of a future MaineCare
28 reimbursement rate.

29 Part I requires the Department of Health and Human Services, when conducting its
30 review of reimbursement rates paid to nursing facilities pursuant to the Maine Revised
31 Statutes, Title 22, section 3173-J, to consider the following to be included in any new rates
32 paid to nursing facilities:

- 33 1. Providing a supplemental allowance per patient per day that is the difference
34 between the amount reimbursed by the MaineCare program and the MaineCare allowable
35 costs as reported in the as-filed MaineCare 2022 cost report. The amount may be no more
36 than \$90 per patient per day for nursing facilities not including rural nursing facilities;
- 37 2. Allowing for education and training costs for direct care staff to be included as a
38 cost component under the MaineCare program, including paying direct care staff wages
39 while attending the education or training and paying the trainers; and
- 40 3. Establishing the separate category of rural nursing facilities for purposes of
41 providing a supplemental allowance per patient per day.

42 Part I also requires the department to direct any funds appropriated for one-time
43 supplements or extraordinary circumstance allowances for nursing facilities or private
44 nonmedical institutions within the scope of the department's rules for increased costs and

1 lost revenue due to the COVID-19 pandemic that have remained unspent to be used to
2 create additional financial assistance opportunities for private nonmedical institutions
3 within the scope of the department's rules.

4 Part J extends the date by which the Department of Health and Human Services is
5 required to establish an income disregard for qualified Medicare beneficiaries and qualified
6 individuals.

7 Part K changes the educational requirements for behavioral health professionals
8 providing services for children, regardless of the setting in which the service is provided,
9 to a minimum of 60 credit hours in a related field, 90 credit hours in an unrelated field or a
10 high school diploma or equivalent with training and oversight as determined by the
11 Department of Health and Human Services in addition to the training provided for
12 certification as a behavioral health professional. It requires the department to amend or
13 establish contracts for training behavioral health professionals to train any number of
14 additional individuals within existing resources and authorizes the department to opt to
15 charge individuals or their employers fees for training.

16 Part L requires the Department of Health and Human Services to establish
17 reimbursement rates for Maine Veterans' Homes services covered by the MaineCare
18 program. This Part requires the MaineCare program to reimburse veterans' facilities for
19 covered services on a per resident daily rate basis that will reimburse the portion of the total
20 MaineCare allowable cost of operating each veterans' facility attributable to the provision
21 of services to residents who receive MaineCare benefits. This Part requires the department
22 to index the rates to inflation annually.

23 Part M provides funding to strengthen and expand mental health crisis intervention
24 mobile response services in order to provide services 24 hours a day, 7 days a week. It
25 requires the Department of Health and Human Services to provide for the incorporation of
26 specific types of mental health and crisis intervention experts into the existing crisis
27 services response system. It also provides funding for ancillary services for mobile
28 response services, including necessary travel and telephone conferences with clients. Part
29 M also requires the Department of Health and Human Services, by January 30, 2025, in
30 coordination with the Public Utilities Commission, Emergency Services Communication
31 Bureau and the Department of Public Safety, to ensure the coordination of services under
32 the State's E-9-1-1 system and the State's 9-8-8 mobile crisis services system. By January
33 30, 2026, the Department of Health and Human Services must submit a status report related
34 to the coordination of services, including suggested legislation, to the joint standing
35 committees of the Legislature having jurisdiction over health and human services matters
36 and utilities matters, and authorizes each of those joint standing committees to submit a bill
37 relating to the report to the Second Regular Session of the 132nd Legislature.

38 Part N directs the Department of Health and Human Services to establish 2 crisis
39 receiving centers, one in Aroostook County and one in Penobscot County, to support
40 individuals dealing with behavioral health, mental health or substance use issues. Crisis
41 receiving centers must provide culturally sensitive trauma-informed care. Part N also
42 provides funding to establish the crisis receiving centers. The department is required to
43 develop a plan to expand crisis receiving centers statewide, with at least one center located
44 in each county.

ROS

1 Part O establishes the Office of Violence Prevention within the Maine Center for
2 Disease Control and Prevention to coordinate and promote effective efforts to reduce
3 violence in the State, including gun violence, and related trauma and promote research
4 regarding causes of and evidence-based responses to violence. The office is directed to
5 increase the awareness of and educate the general public about laws and resources relating
6 to violence prevention and conduct awareness and education campaigns. The office may
7 establish and administer a grant program to award grants to organizations to conduct
8 community-based violence intervention initiatives that are primarily focused on
9 interrupting cycles of violence, trauma and retaliation by providing culturally competent
10 intervention services. The grant program ends June 30, 2027. The office is required to
11 create and maintain a data hub of regularly updated and accurate materials and resources
12 as a repository for data, research and statistical information regarding violence in the State.
13 Part O also provides funding for those purposes.

14 Part P provides ongoing funding to the Department of Health and Human Services for
15 employee recruitment and retention incentives to the staff who provide medication
16 management services provided by the Office of Behavioral Health within the department.

17 Part Q requires the Department of Public Safety to contract with a statewide
18 organization with expertise in mental health for the establishment of a gun shop project for
19 the development and dissemination of written and online suicide prevention educational
20 materials. The department is required to submit a report by December 1, 2026 regarding
21 the activities during the prior calendar year related to the establishment and administration
22 of the gun shop project to the joint standing committee of the Legislature having
23 jurisdiction over public safety matters.

24 Part R requires the Commissioner of Public Safety to develop and implement
25 procedures to notify the public, including the deaf and hard-of-hearing community, of
26 active shooter situations and provides funding for that purpose.

27 Part S amends Public Law 2023, chapter 406, which funded collective bargaining
28 agreements with executive branch employees for the fiscal years 2023-24 and 2024-25, by
29 removing the cap on the amount that may be used to fund the Salary Plan program and
30 instead allowing the funds to be provided pursuant to agreements with collective bargaining
31 agents for executive branch bargaining units instead of pursuant to a collective bargaining
32 agreement.

33 Part T prohibits, until July 1, 2029, the Department of Health and Human Services from
34 altering the reimbursement method for a hospital that receives reimbursement from the
35 federal Medicare program as a prospective payment system hospital if that hospital was
36 reimbursed by the MaineCare program as a critical access hospital for outpatient services
37 on or before January 1, 2024. This Part also requires the department to work with any such
38 hospital to determine a plan for transitioning to reimbursement by the MaineCare program
39 as a critical access hospital while maintaining financial solvency.

40 Part U provides that, beginning in the school year starting after June 30, 2025, the
41 minimum hourly wage for educational technicians is 125% of the state minimum hourly
42 wage and the minimum hourly wage for other school support staff who are paid hourly is
43 112.5% of the state minimum hourly wage. If the state minimum hourly wage is increased
44 on January 1st of any year, the minimum hourly wage for educational technicians and other
45 school support staff is increased beginning July 1st of the same year.

1 Part U provides that, beginning in fiscal year 2025-26 and for each subsequent fiscal
2 year, the Commissioner of Education is required to update the salary matrix to reflect any
3 increase in the minimum hourly wage of educational technicians and clerical staff. The
4 Department of Education is directed to incorporate the minimum hourly wage into the
5 essential programs and services funding model.

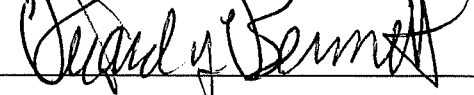
6 Part U also provides that, for the 2025-2026 school year only, the State must pay 100%
7 of the additional funding necessary to achieve the minimum hourly wage.

8 Part V establishes a grant program within the Department of Education to provide
9 grants to school administrative units that contract for behavioral and mental health services
10 provided by licensed behavioral and mental health service providers. This Part limits the
11 use of funds provided through the grant program to behavioral and mental health services
12 that are not otherwise covered or reimbursable through the MaineCare program and
13 provides that funds must be used in a manner that does not supplant qualified and available
14 school administrative unit behavioral and mental health staff. Part V provides that the
15 amounts of the grants must be based on a school administrative unit's population and
16 provides ongoing funding for the grants starting in the 2nd year of the biennium.

17 Part W amends the recruitment and retention adjustment process for state civil service
18 employees by:

19 1. Reducing from 4 to at least 2 the number of specified conditions that must be met to
20 authorize payment of a recruitment and retention adjustment; and

21 2. Requiring, in the event the committee formed to determine the appropriate
22 recruitment and retention adjustments cannot agree on the appropriate adjustment, the use
23 of a neutral 3rd party to make a final decision.

24 SPONSORED BY: 

25 (Senator BENNETT, R.)

26 COUNTY: Oxford

FISCAL NOTE REQUIRED
(See attached)



131st MAINE LEGISLATURE

LD 2225

LR 3090(08)

An Act to Provide Funding to Rebuild Infrastructure Affected by Extreme Inland and Coastal Weather Events

Fiscal Note for Senate Amendment "A" to Committee Amendment "A" (S-701)
Sponsor: Sen. Bennett of Oxford
Fiscal Note Required: Yes

Fiscal Note

	FY 2023-24	FY 2024-25	Projections FY 2025-26	Projections FY 2026-27
Net Cost (Savings)				
General Fund	\$0	\$63,841,544	\$76,260,601	\$76,521,710
Appropriations/Allocations				
General Fund	\$0	\$63,841,544	\$76,260,601	\$76,521,710
Federal Expenditures Fund	\$0	\$79,273,494	\$85,489,749	\$85,496,325
Other Special Revenue Funds	\$0	\$6,998,717	\$7,399,803	\$7,399,803
Federal Block Grant Fund	\$0	\$196,884	\$200,109	\$203,489
Revenue				
Federal Expenditures Fund	\$0	\$19,039,931	\$25,256,186	\$25,262,762
Other Special Revenue Funds	\$0	\$1,175,298	\$1,576,384	\$1,576,384
Federal Block Grant Fund	\$0	\$196,884	\$200,109	\$203,489

Fiscal Detail and Notes

This amendment provides General Fund appropriations of \$63,841,544 in fiscal year 2024-25. The amendment also provides corresponding Federal Expenditures Fund, Other Special Revenue Funds and Federal Block Grant Fund allocations in fiscal year 2024-25. General Fund appropriations provided in this amendment will result in aggregate General Fund appropriations for fiscal year 2024-25 exceeding the appropriations limitation for fiscal year 2024-25 calculated pursuant to PL 2023, c. 412, Part I-6.

This amendment requires that, beginning with the school year starting after June 30, 2025, the minimum hourly wage for educational technicians is 125% of the state minimum hourly wage and the minimum hourly wage for other school support staff who are paid hourly is 112.5% of the state minimum hourly wage. The total State cost of this provision is estimated to be \$7,720,862 in fiscal year 2025-26 and \$7,952,488 in fiscal year 2026-27 and is fully funded by the State.

SACS-701

The amendment modifies the upper limit on transfers from the Salary Plan used to fund collective bargaining agreements. The fixed limit of \$99,000,000 established in PL 2023, c. 406 is replaced with a variable limit determined by the full amount that has accrued in the Salary Plan program, General Fund account within the Department of Administrative and Financial Services (DAFS) at the time agreements are reached. The unobligated balance in the Salary Plan is currently \$147,480,436. The amount of balances that will be available at the time agreements are reached cannot be determined at this time.

This amendment provides ongoing General Fund appropriations of \$1,353,000 per year beginning in fiscal year 2024-25 to the School and Student Supports program within the Department of Education for grants to school administrative units for contracted behavioral and mental health services for students. The grants are based on the population of each school administrative unit.

The amendment includes ongoing General Fund appropriations to DAFS of \$5,341,623 beginning in fiscal year 2024-25 for the increased costs of recruitment and retention adjustments resulting from changes to the eligibility criteria for adjustments, two additional staff positions in the Bureau of Human Resources (BHR) within DAFS to manage increased recruitment and retention initiatives and for payments to contracted mediation and arbitration services.