

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2026

Legislative Document

No. 2125

H.P. 1440

House of Representatives, January 7, 2026

An Act to Sustain Access to Children's Residential Care Services

(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, reading "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative MCCABE of Lewiston.

Cosponsored by Representatives: Speaker FECTION of Biddeford, GRAHAM of North Yarmouth, GRAMLICH of Old Orchard Beach, STOVER of Boothbay.

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 lack of child residential care providers in the State has resulted in children being placed outside the State for treatment and residing in hospital emergency departments due to strained capacity of in-state providers; and

Whereas, a 2025 report by the Department of Health and Human Services identified significant financial, staffing and resource challenges that have contributed to the lack of child residential care; and

Whereas, without the immediate establishment of an emergency rate determination process for services under Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97, Appendix D and the establishment of an emergency stabilization fund, additional providers of child residential care services will close and existing providers will not be able to meet current needs; 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 enacted by the People of the State of Maine as follows:

Sec. 1. Emergency rate determination. The Department of Health and Human Services shall establish an emergency rate determination process for services under Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97, Appendix D within 90 days in accordance with the MaineCare rate system reform process as outlined in the Maine Revised Statutes, Title 22, section 3173-J.

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

HEALTH AND HUMAN SERVICES, DEPARTMENT OF
Office of Behavioral Health Z199

Initiative: Provides one-time funding to establish an emergency fund to stabilize children's residential care facility providers in danger of closing a facility or closing beds in a facility.

GENERAL FUND	2025-26	2026-27
All Other	\$1,000,000	\$0
GENERAL FUND TOTAL	\$1,000,000	\$0

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

SUMMARY

This bill requires the Department of Health and Human Services to establish an emergency rate determination process for services under Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97, Appendix D and provides funding of \$1,000,000 to

- 1 establish an emergency sustainability fund to stabilize child residential treatment providers
- 2 in danger of closing a facility or closing beds in a facility.