

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 that reads "R. B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative MCCABE of Lewiston.

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

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

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

9 **Whereas**, without the immediate establishment of an emergency rate determination
10 process for services under Chapter 101: MaineCare Benefits Manual, Chapter III, Section
11 97, Appendix D and the establishment of an emergency stabilization fund, additional
12 providers of child residential care services will close and existing providers will not be able
13 to meet current needs; and

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

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

19 **Sec. 1. Emergency rate determination.** The Department of Health and Human
20 Services shall establish an emergency rate determination process for services under Chapter
21 101: MaineCare Benefits Manual, Chapter III, Section 97, Appendix D within 90 days in
22 accordance with the MaineCare rate system reform process as outlined in the Maine
23 Revised Statutes, Title 22, section 3173-J.

24 **Sec. 2. Appropriations and allocations.** The following appropriations and
25 allocations are made.

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

27 **Office of Behavioral Health Z199**

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

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

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

36 **SUMMARY**

37 This bill requires the Department of Health and Human Services to establish an
38 emergency rate determination process for services under Chapter 101: MaineCare Benefits
39 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.