

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE**

**SECOND SPECIAL SESSION**  
**June 19, 2018 to September 13, 2018**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**DECEMBER 13, 2018**

**ONE HUNDRED AND TWENTY-NINTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 5, 2018 to June 20, 2019**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 19, 2019**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**Augusta, Maine**  
**2019**

**Sec. 1. Department of Health and Human Services to convene a stakeholder group. Resolved:** That the Department of Health and Human Services, in consultation with the Department of Education, shall convene a stakeholder group to determine the capacity of the State to respond to its child find responsibilities as required under the federal Individuals with Disabilities Education Act and to provide early and periodic screening, diagnostic and treatment services, referred to in this resolve as "screening, diagnostic and treatment services," to children from birth to 8 years of age, the gaps in services and the costs of addressing those gaps. The Department of Health and Human Services shall coordinate the collection and analysis of data from across the department and from organizations that conduct developmental screenings or offer services or treatment to children from birth to 8 years of age, including through Head Start programs, Early Head Start programs, the Child Development Services System as defined in section 7001, public health nursing organizations, the Department of Health and Human Services' home visiting service and the Department of Education. The Department of Health and Human Services shall submit a report with the findings to the Joint Standing Committee on Health and Human Services. The report must include the following:

1. Data on the number, ages and geographic locations of children from birth to 8 years of age receiving screening, diagnostic and treatment services;
2. The capacity of the State to ensure that all children from birth to 8 years of age who require screening, diagnostic and treatment services are located and receive services;
3. Current levels of federal and state funding designated or available to support child find services, screening, diagnostic and treatment services and early intervention and special education services for children from birth to 8 years of age;
4. Barriers that impede access to child find and screening, diagnostic and treatment services;
5. Data on the disposition of referrals of children from birth to 8 years of age at high risk of developmental delay or disability who are screened and eligible for either child development services or screening, diagnostic and treatment services, including how many receive needed services and how many do not receive those services by county;
6. Shortages of providers of child find and screening, diagnostic and treatment services including a breakdown by county of those shortages and a breakdown by specific service;
7. An assessment of the State's efforts to provide comprehensive developmental screening for children from birth to 8 years of age with reference to the rec-

ommendations of the American Academy of Pediatrics;

8. An assessment of the deficits in the State's efforts to provide comprehensive developmental screening;
9. An estimate of the costs to address the shortages in child find and screening, diagnostic and treatment services and any recommendations to ensure or expand services so that all children from birth to 8 years of age are adequately served regardless of health insurance status, age, geographic location or type of developmental delay or disability identified;
10. A review of existing reports from the past 10 years from organizations that screen for developmental delay or provide services or treatment to children from birth to 8 years of age to review existing data, strengths and challenges of programs providing early intervention services;
11. Additional data needed to assess the State's child find and screening, diagnostic and treatment services; and
12. Information on other states that have had success in providing child find and screening, diagnostic and treatment services to children from birth to 8 years of age and their families.

The Department of Health and Human Services shall submit the report no later than December 30, 2019. The Joint Standing Committee on Health and Human Services may report out legislation relating to the subject matter of the report to the Second Regular Session of the 129th Legislature.

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

Effective June 13, 2019.

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**CHAPTER 67**  
**H.P. 908 - L.D. 1247**

**Resolve, To Clarify the Good Cause and Sanction Process in the Temporary Assistance for Needy Families and Additional Support for People in Retraining and Employment Programs**

**Sec. 1. Department of Health and Human Services to amend the TANF and ASPIRE-TANF program rules regarding good cause and sanctions. Resolved:** That the Department of Health and Human Services shall amend its rules for the Temporary Assistance for Needy Fam-

ilies program, referred to in this resolve as "TANF," and the Additional Support for People in Retraining and Employment - Temporary Assistance for Needy Families program, referred to in this resolve as "ASPIRE-TANF," to establish the following additional process for good cause determinations.

1. When a TANF or ASPIRE-TANF participant is notified that the participant has failed to comply with a program rule that includes notice of good cause and the participant claims within 5 working days of receiving the notification, either orally or in writing, that the participant had good cause for failing to comply, a representative of the department shall meet individually with the participant. The meeting must take place at the office of the department representative, or at a location agreed upon by the participant and the department representative, or the meeting may be conducted by telephone if the participant is unable to be physically present. The department shall provide at least 5 days' advance notice to the participant. At the meeting, the representative of the department shall:

- A. Provide the participant with a notice describing good cause. The notice must include the participant's right to apply for a good cause exception;
- B. Verbally explain to the participant the reasons for which a good cause exception may be granted and the participant's right to make an application for a good cause exception either orally or in writing; and
- C. Provide the participant with the opportunity to make a request for a good cause exception from ASPIRE-TANF participation either wholly or in part.

2. The department's representative shall make a complete written record of the meeting under subsection 1, including documenting that the participant was given the notice describing good cause, the participant's reason for good cause and that the participant was given the opportunity to make a request for a good cause exception.

3. A department representative shall make a recommendation on the participant's request for a good cause exception, including the basis for the recommendation, in writing. The department shall then issue a final determination approving or denying, wholly or in part, the participant's request for a good cause exception, including notice of the right to a fair hearing. The determination must set forth the reasons for the application for a good cause exception being approved or denied. The department may not find lack of good cause prior to the final determination unless the participant fails to attend the scheduled meeting under subsection 1 without good cause.

4. The notice of a determination that results in a proposed sanction of the participant must include a

statement of why the participant does not qualify for a good cause exception.

Nothing in this section precludes a program participant from claiming good cause at any time.

See title page for effective date.

**CHAPTER 68**

**H.P. 1237 - L.D. 1739**

**Resolve, Authorizing the State Tax Assessor To Convey the Interest of the State in Certain Real Estate in the Unorganized Territory**

**Sec. 1. State Tax Assessor authorized to convey real estate. Resolved:** That the State Tax Assessor is authorized to convey by sale the interest of the State in real estate in the Unorganized Territory as indicated in this resolve. Except as otherwise directed in this resolve, the sale must be made to the highest bidder subject to the following provisions.

1. Notice of the sale must be published 3 times prior to the sale, once each week for 3 consecutive weeks, in a newspaper in the county where the real estate lies, except in those cases in which the sale is to be made to a specific individual or individuals as authorized in this resolve, in which case notice need not be published.

2. A parcel may not be sold for less than the amount authorized in this resolve. If identical high bids are received, the bid postmarked with the earliest date is considered the highest bid.

If bids in the minimum amount recommended in this resolve are not received after the notice, the State Tax Assessor may sell the property for not less than the minimum amount without again asking for bids if the property is sold on or before April 1, 2020.

Employees of the Department of Administrative and Financial Services, Bureau of Revenue Services and spouses, siblings, parents and children of employees of the Bureau of Revenue Services are barred from acquiring from the State any of the real property subject to this resolve.

Upon receipt of payment as specified in this resolve, the State Tax Assessor shall record the deed in the appropriate registry at no additional charge to the purchaser before sending the deed to the purchaser.