

# 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**

Initiative: Provides additional funding to the Maine Center for Disease Control and Prevention to expand the use of the Women, Infants and Children Supplemental Food Program at farmers' markets.

<b>GENERAL FUND</b>	<b>2019-20</b>	<b>2020-21</b>
All Other	\$0	\$10,000

GENERAL FUND	\$0	\$10,000
TOTAL		

<b>FEDERAL EXPENDITURES FUND</b>	<b>2019-20</b>	<b>2020-21</b>
All Other	\$0	\$17,000

FEDERAL EXPENDITURES FUND	\$0	\$17,000
TOTAL		

See title page for effective date.

**CHAPTER 94**  
**S.P. 345 - L.D. 1125**

**Resolve, To Require Reimbursement for Bed-hold Days in Adult Family Care Homes**

**Sec. 1. Adult family care home reimbursement for bed-hold days. Resolved:** That, no later than January 1, 2020, the Department of Health and Human Services shall amend its rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 2, Adult Family Care Services to reimburse for days a resident is absent from a facility due to hospitalization, visits with family or friends or other appropriate causes determined by the department for up to 30 bed-hold days per calendar year. The rate of reimbursement must be at least equal to the rate for bed-hold days provided to residential care facilities under the department's rule Chapter 115: Principles of Reimbursement for Residential Care Facilities.

**Sec. 2. Appropriations and allocations. Resolved:** That the following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

**Medical Care - Payments to Providers 0147**

Initiative: Provides appropriations and allocations to reimburse adult family care homes for up to 30 bed-hold days per calendar year in the same manner as residential care facilities are reimbursed.

<b>GENERAL FUND</b>	<b>2019-20</b>	<b>2020-21</b>
All Other	\$16,414	\$33,056

GENERAL FUND	\$16,414	\$33,056
TOTAL		

<b>FEDERAL EXPENDITURES FUND</b>	<b>2019-20</b>	<b>2020-21</b>
All Other	\$29,155	\$58,082

FEDERAL EXPENDITURES FUND	\$29,155	\$58,082
TOTAL		

**Office of MaineCare Services 0129**

Initiative: Provides one-time appropriations and allocations for required technology updates.

<b>GENERAL FUND</b>	<b>2019-20</b>	<b>2020-21</b>
All Other	\$56,627	\$0

GENERAL FUND	\$56,627	\$0
TOTAL		

<b>FEDERAL EXPENDITURES FUND</b>	<b>2019-20</b>	<b>2020-21</b>
All Other	\$169,883	\$0

FEDERAL EXPENDITURES FUND	\$169,883	\$0
TOTAL		

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

<b>GENERAL FUND</b>	<b>\$73,041</b>	<b>\$33,056</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>\$199,038</b>	<b>\$58,082</b>

<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$272,079</b>	<b>\$91,138</b>
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See title page for effective date.

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## CHAPTER 95

### H.P. 889 - L.D. 1228

#### **Resolve, Requiring the Department of Health and Human Services To Develop More Comprehensible MaineCare Benefit Letters**

**Sec. 1. Department of Health and Human Services to develop more comprehensible MaineCare benefit letters. Resolved:** That the Department of Health and Human Services shall examine the letters the department sends notifying individuals of their eligibility for MaineCare and the Medicare savings program, also known as the Medicare buy-in program, and make changes to the letters to ensure the format and language of the letters are as user-friendly and comprehensible as possible. The department shall investigate the possibility of a letter that includes a tear-off or cut-out section for use as proof of eligibility for persons eligible for the Medicare savings program to carry if they do not otherwise receive a card from the department for this purpose. Any changes to the letters and proof of eligibility section must be made within existing resources.

**Sec. 2. Report. Resolved:** That the Department of Health and Human Services shall submit a report to the joint standing committee of the Legislature having jurisdiction over health and human services matters describing any changes to the letters and cards pursuant to section 1. The report must be submitted by February 1, 2021.

See title page for effective date.

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## CHAPTER 96

### H.P. 41 - L.D. 40

#### **Resolve, To Establish the Commission To Study Children's Mental Health**

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

**Whereas,** this resolve establishes the Commission To Study Children's Mental Health to study the mental health of children in the State and federal and state laws, regulations, rules and policies governing the diagnosis and treatment of children with mental health issues; and

**Whereas,** the study must be initiated before the 90-day period expires in order that the study may be completed and a report submitted in time for submission to the next legislative session; 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

**Sec. 1. Commission established. Resolved:** That the Commission To Study Children's Mental Health, referred to in this resolve as "the commission," is established.

**Sec. 2. Commission membership. Resolved:** That, notwithstanding Joint Rule 353, the commission consists of 11 members appointed as follows:

1. Two members of the Senate appointed by the President of the Senate, including a member from each of the 2 parties holding the largest number of seats in the Legislature;

2. Two members of the House of Representatives appointed by the Speaker of the House, including members from each of the 2 parties holding the largest number of seats in the Legislature;

3. Two parents of children with mental health issues, one appointed by the President of the Senate and one appointed by the Speaker of the House;

4. Three representatives of providers of mental health services to children in the State, 2 appointed by the President of the Senate and one appointed by the Speaker of the House;

5. The Commissioner of Health and Human Services or the commissioner's designee; and

6. The Commissioner of Education or the commissioner's designee.

**Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission.

**Sec. 4. Appointments; convening of commission. Resolved:** That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the commission. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business.