

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-NINTH LEGISLATURE**

**FIRST SPECIAL SESSION**

**August 26, 2019**

**SECOND REGULAR SESSION**

**January 8, 2020 to March 17, 2020**

**THE GENERAL EFFECTIVE DATE FOR  
FIRST SPECIAL SESSION**

**NON-EMERGENCY LAWS IS**

**NOVEMBER 25, 2019**

**THE GENERAL EFFECTIVE DATE FOR  
SECOND REGULAR SESSION**

**NON-EMERGENCY LAWS IS**

**JUNE 16, 2020**

**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  
2020**

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 task force. 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 task force to meet and conduct its business.

**Sec. 5. Duties. Resolved:** That the task force shall:

1. Examine the feasibility of establishing a comprehensive 4-year high school career and technical education program to provide a technical high school setting for middle school students to attend at the completion of the 8th grade, including but not limited to the advantages and disadvantages of a comprehensive 4-year high school career and technical education model, obstacles to implementation of a comprehensive 4-year high school career and technical education model and other models for comprehensive 4-year high school career and technical education that exist around the State and on a national level; and

2. Examine increasing crosswalks and intersections between technical and occupational knowledge and curricula and academic standards in order to promote multiple pathways for awarding content area credit to students enrolled in career and technical education programs, including but not limited to building on prior and current work among the Department of Education, superintendents of school administrative units and career and technical education administrators.

**Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide necessary staffing services to the task force, except that Legislative Council staff support is not authorized when the Legislature is in regular or special session.

**Sec. 7. Report. Resolved:** That, no later than December 4, 2019, the task force shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Second Regular Session of the 129th Legislature.

**Sec. 8. Outside funding. Resolved:** That the task force shall seek funding contributions to fully fund the costs of the task force. All funding is subject to approval by the Legislative Council in accordance with its policies. If sufficient contributions to fund the task force have not been received within 30 days after the effective date of this resolve, no meetings are authorized and no expenses of any kind may be incurred or reimbursed.

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

Effective January 12, 2020.

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## CHAPTER 109

H.P. 1215 - L.D. 1700

### Resolve, Regarding African-American Student Data Analyses

**Sec. 1. African-American students data analyses. Resolved:** That the Maine Education Policy Research Institute shall provide to the Department of Education analyses of the school achievement, disciplinary actions and special education identification and placement of African-American students.

**Sec. 2. Harassment and hate crimes data. Resolved:** That the Department of Education may request data on reported harassment and hate crimes based on race occurring in public schools from the Maine Human Rights Commission and the Department of the Attorney General, Civil Rights Team Project.

See title page for effective date.

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## CHAPTER 110

H.P. 1289 - L.D. 1809

### Resolve, To Increase Funding for Evidence-based Therapies for Treating Emotional and Behavioral Problems in Children

**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 legislation needs to take effect before the expiration of the 90-day period because MaineCare reimbursement rates for evidence-based therapies for treating emotional and behavioral problems in children have not been adjusted in more than 8 years and are insufficient to enable some providers to continue to provide services; 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. Department of Health and Human Services to increase MaineCare reimbursement for outpatient psychosocial treatments for children. Resolved:** That the Department of Health and Human Services shall increase reimbursement rates under rule Chapter 101: MaineCare Bene-

fits Manual, Chapters II and III, Section 65 for multi-systemic therapy, multisystemic therapy for problem sexualized behavior and functional family therapy by 20% for the period from the effective date of this resolve to June 30, 2020.

**Sec. 2. Rate study. Resolved:** That the Department of Health and Human Services shall contract with a 3rd party to conduct a rate study of reimbursement rates under rule Chapter 101: MaineCare Benefits Manual, Chapters II and III, Section 65 for multi-systemic therapy, multisystemic therapy for problem sexualized behavior and functional family therapy. The rate study must develop a rate that is set on a per case per week basis. The rate study must also take into account the costs to providers of delivering the services, including additional training, and maintenance of fidelity to the treatment models. The rate study must be completed no later than December 1, 2019.

**Sec. 3. Report. Resolved:** That the Department of Health and Human Services shall submit a report to the Joint Standing Committee on Health and Human Services with the findings of the rate study conducted pursuant to section 2 no later than January 30, 2020.

**Sec. 4. Rulemaking. Resolved:** That the Department of Health and Human Services is authorized to adopt rules to implement new rates developed pursuant to the rate study in section 2 as long as those rates are no lower than the rates of reimbursement that exist on April 1, 2019 and the federal Department of Health and Human Services, Centers for Medicare and Medicaid Services approves the reimbursement rates. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

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

Effective January 12, 2020.

**CHAPTER 111**

**H.P. 1309 - L.D. 1838**

**Resolve, Requiring the Department of Health and Human Services To Examine Options for Upper Payment Limit Adjustments for MaineCare Services**

**Sec. 1. Department of Health and Human Services to examine upper payment limit options. Resolved:** That the Department of Health and Human Services shall examine options and methodologies to increase the federally approved upper

payment limits for services provided under MaineCare. The department may contract with any consultant or 3rd-party organization that the department determines appropriate for this purpose. The department may consult with any stakeholders that the department determines appropriate for this purpose. The department shall report its findings, actions taken, adjustments to upper payment limits, negotiations with the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services and any necessary legislation to the Joint Standing Committee on Health and Human Services no later than January 15, 2020.

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

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

**Office of MaineCare Services 0129**

Initiative: Provides funding to contract with a 3rd party to examine upper payment limit options to increase federally approved limits for services provided under MaineCare.

<b>GENERAL FUND</b>	<b>2019-20</b>	<b>2020-21</b>
All Other	\$13,000	\$0
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<b>GENERAL FUND TOTAL</b>	<b>\$13,000</b>	<b>\$0</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>2019-20</b>	<b>2020-21</b>
All Other	\$13,000	\$0
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<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$13,000</b>	<b>\$0</b>

See title page for effective date.

**CHAPTER 112**

**H.P. 1446 - L.D. 2036**

**Resolve, To Establish the Blue Ribbon Commission To Continue Studying and Recommend Funding Solutions for the State's Transportation Systems**

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

**Whereas,** Resolve 2019, chapter 97 established the Blue Ribbon Commission To Study and Recommend Funding Solutions for the State's Transportation Systems, which found that due to the complexity and importance of the subject matter it needed more time