

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

SECOND SPECIAL SESSION
September 29, 2021

SECOND REGULAR SESSION
January 5, 2022 to May 9, 2022

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 29, 2021

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 8, 2022

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

Augusta, Maine
2022

CHAPTER 712
S.P. 191 - L.D. 485

**An Act To Continue Funding
for Home-delivered Meals for
Homebound Seniors and To
Address Growing Demand**

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

Sec. 1. Mileage reimbursement rates for meals on wheels services. Notwithstanding the Maine Revised Statutes, Title 5, section 8 and until June 30, 2023, the Department of Health and Human Services may provide funding to an area agency with an area plan approved by the department pursuant to Title 22, section 5118 to reimburse the agency for mileage accrued as a result of providing so-called meals on wheels services in an amount that exceeds the state reimbursement rate established in Title 5, section 8.

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

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

**Long Term Care - Office of Aging and Disability
Services 0420**

Initiative: Provides ongoing funding to provide home-delivered meals to homebound seniors and to leverage all federal funds available.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$250,000
GENERAL FUND TOTAL	\$0	\$250,000

See title page for effective date.

CHAPTER 713
H.P. 369 - L.D. 506

**An Act To Reduce the Tax
Burden on Low-income
Electricity Customers**

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

Sec. 1. 36 MRSA §1760, sub-§9-B, ¶A, as enacted by PL 2011, c. 673, §1, is amended to read:

A. The first 750 kilowatt hours of residential electricity per month; ~~and~~

Sec. 2. 36 MRSA §1760, sub-§9-B, ¶B, as enacted by PL 2011, c. 673, §1, is amended to read:

B. Off-peak residential electricity used for space heating or water heating by means of an electric

thermal storage device. For the purpose of this paragraph, "off-peak residential electricity" means the off-peak delivery of residential electricity pursuant to tariffs on file with the Public Utilities Commission and the electricity supplied; ~~and~~

Sec. 3. 36 MRSA §1760, sub-§9-B, ¶C is enacted to read:

C. Residential electricity consumed by eligible customers enrolled in a low-income assistance program implemented pursuant to Title 35-A, section 3214, subsection 2 or an arrearage management program implemented pursuant to Title 35-A, section 3214, subsection 2-A.

Sec. 4. Effective date. This Act takes effect January 1, 2023.

Effective January 1, 2023.

CHAPTER 714
S.P. 352 - L.D. 1091

**An Act To Improve the Long-
term Outcomes for Youth
Transitioning from State Care
by Raising the Upper Age
Limit for Voluntary Support
Eligibility**

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

Sec. 1. 22 MRSA §4010-C, sub-§1, as enacted by PL 2013, c. 577, §1, is amended to read:

1. Age; enrollment in postsecondary education institution. In order to be eligible to participate in the program, an individual must be at least ~~24~~ 23 years of age but less than 27 years of age, must have exited the voluntary extended care and support agreement with the State under section 4037-A at ~~24~~ 23 years of age and must be enrolled in a postsecondary education institution.

Sec. 2. 22 MRSA §4037-A, sub-§1, as amended by PL 2021, c. 535, §1, is further amended to read:

1. Extended care requirements. A person who is 18, 19 ~~or~~ 20, 21 or 22 years of age and who attained 18 years of age while in the care and custody of the department may continue to receive care and support if the person:

A. Is enrolled in secondary school or its equivalent or is enrolled in postsecondary or career and technical school;

B. Is participating in a program or activity that promotes employment or removes barriers to employment;

- C. Is employed for at least 80 hours per month; or
- D. Is found to be in special circumstances, including but not limited to being incapable of qualifying under paragraphs A to C due to a documented medical or behavioral health condition.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF

State-funded Foster Care/Adoption Assistance 0139

Initiative: Provides funding to raise the upper age limit from 20 years of age to 22 years of age for voluntary participation in extended care for persons who attained 18 years of age while in the care and custody of the State.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$351,284
GENERAL FUND TOTAL	\$0	\$351,284
FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$0	\$308,405
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$308,405

See title page for effective date.

CHAPTER 715

H.P. 1024 - L.D. 1390

An Act To Maximize Health Care Coverage for the Uninsured through Easy Enrollment in the MaineCare Program or in a Qualified Health Plan in the Marketplace

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

Sec. 1. 22 MRSA §5412 is enacted to read:

§5412. Easy enrollment program

The easy enrollment program is established under this chapter to identify residents of this State who are uninsured but qualify for benefits under the MaineCare program or a qualified health plan in the marketplace.

1. Tax checkoff. A person filing a tax return in this State pursuant to Title 36, chapter 803 who has marked the relevant check-off boxes on the state income tax form as described in Title 36, section 5294 is identified as a person who may be provisionally assessed as eligible for benefits under the MaineCare pro-

gram or to enroll in a qualified health plan in the marketplace. The department, in conjunction with the superintendent and the Department of Administrative and Financial Services, Bureau of Revenue Services, shall determine by rule the information necessary to be shared with the marketplace to provisionally assess eligibility and the schedule regarding the frequency of transferring the information.

2. Eligibility determination. The marketplace shall determine whether the person filing the tax return under subsection 1 has an address in the State and whether the persons in the household indicated as uninsured are already enrolled in the MaineCare program or a qualified health plan in the marketplace. The marketplace shall mail a notice to households with an address in the State and with persons in the household who are uninsured. The notice must notify the person filing the tax return that the person or other uninsured members of the household may be eligible for health care coverage and provide information about the special enrollment period available on the marketplace pursuant to subsection 3 and that MaineCare enrollment is available at any time. If the person filing the tax return has included an e-mail address or other contact information, the marketplace shall contact the person using the preferred method of communication indicated on the tax return.

3. Special enrollment period; assistance; coverage begins. A person filing a tax return under subsection 1 who is provisionally assessed as eligible to enroll in a qualified health plan in the marketplace has a special enrollment period that begins on the date of the tax filing and ends 35 days from the date of the notice mailed by the marketplace to the person pursuant to subsection 2. Once a person begins the application to enroll in a qualified health plan in the marketplace, the marketplace shall provide assistance through follow-up e-mails or another preferred method of communication until the person is successfully enrolled or the marketplace determines that the person does not wish to enroll. Coverage in the marketplace is effective on the first day of the month after the date a plan is selected by the person.

4. Medicaid coverage. If the marketplace determines that any member of the household is eligible for benefits under the MaineCare program under this section, the marketplace shall notify the department and the person who filed the tax return of the potential eligibility. The department shall contact the person who filed the tax return using the person's preferred method of communication and provide assistance with the MaineCare application unless the marketplace determines that the person does not wish to enroll.

5. Outreach efforts. The marketplace and department, after appropriate consultation with the superintendent, shall jointly develop educational materials and