

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-FIRST LEGISLATURE

SECOND REGULAR SESSION
January 3, 2024 to May 10, 2024

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 9, 2024

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

Augusta, Maine
2024

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. Adoption. Resolved: That final adoption of portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 29: Allowances for Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder, a provisionally adopted major substantive rule of the Department of Health and Human Services that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective March 6, 2024.

**CHAPTER 134
S.P. 830 - L.D. 2009**

Resolve, to Establish a Stakeholder Group to Address the Problem of Long Stays for Children and Adolescents in Hospital Emergency Departments

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

Whereas, children and adolescents remain in hospital emergency departments awaiting appropriate community and residential placements long after they are medically stable; and

Whereas, the work to address this issue is urgent and must start immediately; 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 convene stakeholder group to address long stays of children and adolescents in hospital emergency departments. Resolved: That the Department of Health and Human Services, referred to in this resolve as "the department," shall convene a stakeholder group to address the problem of children and adolescents experiencing long stays in hospital emergency departments after the children and adolescents are medically stable and no longer require medical

treatment but appropriate community or residential placements are not available.

1. Membership. The Commissioner of Health and Human Services shall appoint the members of the stakeholder group. Members must include:

- A. The child welfare services ombudsman or the ombudsman's designee;
- B. The Attorney General or the Attorney General's designee;
- C. A member of staff from the department's Office of Child and Family Services including child welfare services;
- D. A member of staff from the department's Office of Behavioral Health;
- E. A member of staff from the department's Office of Behavioral Health, children's behavioral health services;
- F. A representative of Disability Rights Maine;
- G. A representative of hospitals;
- H. An emergency medical physician;
- I. A representative of a statewide organization representing hospitals;
- J. A representative of a national organization advocating for individuals with mental illness;
- K. Parents with experience of having a child stay in a hospital emergency department for a long period after being medically stabilized; and
- L. Other relevant interested parties.

2. Duties and recommendations. The stakeholder group shall examine the problem of children and adolescents experiencing long stays in hospital emergency departments after the children and adolescents are medically stable and no longer require medical treatment but appropriate community or residential placements are not available. The stakeholder group shall examine and make recommendations relating to the following:

- A. An appropriate timeline for establishing a secure children's psychiatric residential treatment facility in the State;
- B. Strategies to limit the length of stay in hospital emergency departments for children and adolescents who have been medically cleared for discharge;
- C. The establishment of an independent children's behavioral health advocate; and
- D. A review of hospital assessment and discharge policies.

3. Report. The department shall submit a report to the joint standing committee of the Legislature having jurisdiction over health and human services matters with its findings and recommendations no later than November 6, 2024. The committee may report out legislation to the 132nd Legislature in 2025.

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

Effective March 6, 2024.

CHAPTER 135

S.P. 521 - L.D. 1284

Resolve, Directing the Commissioner of Education to Review the Placement of Personal Finance in the System of Learning Results

Sec. 1. Commissioner of Education review of content standards for personal finance. Resolved: That the Commissioner of Education shall, in the commissioner's next regular review of the content standards and performance indicators by content area pursuant to the Maine Revised Statutes, Title 20-A, section 6209, subsection 4, consider the inclusion of personal finance in content areas other than social studies, as appropriate.

See title page for effective date.

CHAPTER 136

S.P. 684 - L.D. 1721

Resolve, to Establish a Plan to Provide Transitional Housing and to Support the Growth of Maine's Workforce

Sec. 1. Office of Policy Innovation and the Future to develop plan for transitional housing. Resolved: That the Office of Policy Innovation and the Future shall propose a plan to provide transitional housing for persons seeking federal work permits and their families based on the model being used in southern Maine, which consists of leasing a property formerly used as a hotel and contracting with a private nonprofit entity to provide support services. The plan must include an evaluation of options for purchasing a similar property, or allocating funds to a nongovernmental entity to purchase a similar property, to provide transitional housing concurrent with services aimed at supporting entry into the workforce and an evaluation of the financial impacts upon the State and the municipality in which the property is located. The plan must identify potential funding sources, including but not limited

to existing state and federal funds. In addition to the proposed plan, using data collected from the current model used to provide transitional housing, the Office of Policy Innovation and the Future shall provide information regarding who is being served by the model, how many enter the workforce, the amount of time those being served use transitional housing and accompanying services before successfully entering the workforce and how workforce needs are affected by the model. The Office of Policy Innovation and the Future shall submit a report containing the proposed plan and the information required by this section no later than January 15, 2025 to the joint standing committee or the joint select committee of the Legislature having jurisdiction over housing matters, which is authorized to report out a bill to the 132nd Legislature in 2025.

See title page for effective date.

CHAPTER 137

H.P. 1424 - L.D. 2221

Resolve, Directing the State Board of Education to Amend Chapter 115: The Credentialing of Education Personnel, a Major Substantive Rule of the State Board of Education

Sec. 1. State Board of Education to amend rule regarding credentialing of education personnel. Resolved: That the State Board of Education shall amend rule Chapter 115: The Credentialing of Education Personnel, a major substantive rule of the State Board of Education, and submit the provisionally adopted rule to the 132nd Legislature for review. Amendments to the rule may include, but are not limited to, recommendations included in the State Board of Education's report submitted to the Joint Standing Committee on Education and Cultural Affairs pursuant to Resolve 2023, chapter 54.

See title page for effective date.

CHAPTER 138

H.P. 1385 - L.D. 2165

Resolve, Regarding Legislative Review of Portions of Chapter 270: Uniform Reporting System for Quality Data Sets, a Major Substantive Rule of the Maine Health Data Organization

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until