

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

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

Augusta, Maine
2024

**CHAPTER 157
S.P. 876 - L.D. 2083**

**Resolve, Directing the
Department of Health and
Human Services to Establish a
Stakeholder Group to Study
Timely Access to Psychiatric
Medication Management
Services Across the State**

Sec. 1. Department of Health and Human Services to establish stakeholder group to study timely access to psychiatric medication management services across the State. Resolved: That the Department of Health and Human Services shall convene a stakeholder group to study access to psychiatric medication management services across the State. The study must examine:

1. The availability of psychiatric medication management services across the State, including a review of geographic and other disparities in accessing psychiatric medication management services;
2. The availability of psychiatric nurse practitioners to provide psychiatric medication management services; and
3. Challenges to sustaining and expanding the psychiatric nurse practitioner workforce, including an examination of educational opportunities, financial support for the education of nurse practitioners and the availability of nurse educators to train nurse practitioners.

The department shall include in the stakeholder group psychiatric nurse practitioners who currently deliver psychiatric medication management services, physicians who currently deliver psychiatric medication management services, consumers and family members of consumers of medication management services, advocates for mental health services, experts in increasing the mental health workforce, representatives of the Department of Labor, representatives of the Finance Authority of Maine, representatives of educational institutions that train psychiatric nurse practitioners and representatives of professional associations for psychiatric nurse practitioners.

Sec. 2. Report. Resolved: That the Department of Health and Human Services shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters no later than February 1, 2025 on the study under section 1. The joint standing committee may report out legislation related to the report to the 132nd Legislature in 2025.

See title page for effective date.

**CHAPTER 158
H.P. 268 - L.D. 435**

**Resolve, to Require the
Department of Health and
Human Services to Report on
Children's Residential
Treatment Services and
Implementation of the
Department's Strategic
Priorities for Children's
Behavioral Health Services**

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 continue to wait for behavioral health care services within the State; and

Whereas, many children are receiving behavioral health care services outside the State; and

Whereas, Maine needs solutions to this problem immediately to address waiting lists and ensure that the State is in compliance with federal requirements; 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 study children's residential treatment services. Resolved: That the Department of Health and Human Services, referred to in this resolve as "the department," shall review the relevant data and conduct an analysis of the capacity, occupancy and availability of and access to children's residential treatment services within the State, as well as the residential treatment services located outside of the State that are being provided to children who normally reside in this State.

Sec. 2. Report on children's residential treatment services and implementation of strategic priorities for children's behavioral health services developed by Department of Health and Human Services. Resolved: That, by January 2, 2025, the department shall submit to the joint standing committee of the Legislature having jurisdiction over health and human services matters a report consisting of:

1. A summary of the data and results of the analysis of children's residential treatment services as directed by section 1;
2. A summary of the department's progress in implementing the strategic priorities developed in 2019 to

implement the children's behavioral health services plan for Maine developed by the department's Office of Child and Family Services; and

3. A summary of the department's current priorities to ensure the availability, quality and consistency of and access to behavioral health care services for children.

The joint standing committee may report out legislation related to the report 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 28, 2024.

CHAPTER 159

H.P. 1382 - L.D. 2158

Resolve, to Improve the Housing Voucher System and Reduce the Number of Voucher Expirations

Sec. 1. Maine State Housing Authority to establish stakeholder group. Resolved: That the Maine State Housing Authority shall establish a stakeholder group to improve the system that governs the distribution and use of housing vouchers. For the purposes of this resolve, "housing voucher" means a tenant-based housing choice voucher issued under Section 8 of the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, as amended.

Sec. 2. Membership. Resolved: That the membership of the stakeholder group established pursuant to section 1 is as follows:

1. Four members who represent local housing authorities who distribute housing vouchers, including at least 2 members who distribute housing vouchers to be used in rural areas of the State;
2. Four members who provide housing navigation services to tenants who use income-based rental assistance programs, including one member who provides services through a housing authority operated by a federally recognized Indian tribe and one member who provides assistance at homeless shelters;
3. One member who has experience providing legal advice or assistance related to the use of housing vouchers;
4. One member who has experience administering municipal general assistance;
5. The executive director of the Maine Human Rights Commission or the executive director's designee; and

6. Staff from the Maine State Housing Authority with experience in housing voucher distribution and the process for requesting a waiver from the United States Department of Housing and Urban Development asking for an adjustment to the fair market rent rate amount used when determining housing voucher amounts.

Sec. 3. Duties. Resolved: That the stakeholder group under section 1 shall:

1. Outline the process for requesting a waiver from the United States Department of Housing and Urban Development seeking an increase of the fair market rent for any particular area of the State and, if a waiver is granted, how it allows local housing authorities to enter into contracts with landlords at the highest rent allowed pursuant to that waiver;
2. Determine how many local housing authorities have requested fair market rent waivers from the United States Department of Housing and Urban Development, how and when each such request was made and the outcome of the requests;
3. Determine how many local housing authorities have not requested fair market rent waivers from the United States Department of Housing and Urban Development and the reason for each such decision, including the identification of barriers cited by the local housing authorities;
4. Develop a list of all of the programs administered by local housing authorities that create additional housing units, including housing units for which housing vouchers will be used to pay for rent;
5. Consider strategies to support local housing authorities with the submission of United States Department of Housing and Urban Development waiver requests, including using the assistance of the Maine State Housing Authority to assist in administration of that waiver request process;
6. Develop a chart that outlines the rules governing the use of housing vouchers distributed by the Maine State Housing Authority as well as local housing authorities, including but not limited to the time frames associated with securing housing using a housing voucher and housing voucher expiration;
7. Identify any flexibility that exists regarding the distribution and use of housing vouchers, including but not limited to the time frame within which a housing voucher must be used prior to its expiration and the ability to use a housing voucher in an area of the State outside of the area for which it was issued;
8. Consider strategies to improve outreach and education to landlords with the goal of increasing the number of landlords who accept tenants who use housing vouchers or other income-based rental assistance; and