

# MAINE STATE LEGISLATURE

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**Paul R. LePage**  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF ADMINISTRATIVE AND  
FINANCIAL SERVICES  
BUREAU OF THE BUDGET  
58 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0058

**RICHARD ROSEN**  
COMMISSIONER

MELISSA L. GOTT  
STATE BUDGET OFFICER

To: Committee on Appropriations & Financial Affairs  
From: Melissa L. Gott, State Budget Officer *MLG*  
Date: November 23, 2016  
Subject: Federal Mandates

The State Budget Officer is required by 5 M.R.S.A., Section 1670, to submit a list of any new laws, regulations, or other actions that may require the State to comply with any new federal mandate in the current biennium or the next biennium.

Attached please find the report of federal mandates as submitted from the various State departments and agencies.

If you should have any questions regarding this report, please do not hesitate to contact the Budget Office at (207) 624-7810.

Thank you

MLG/sdm

cc: Christopher Nolan, Director, OFPR  
Richard Rosen, Commissioner, DAFS  
ME State Law & Legislative Reference Library

## FEDERAL MANDATES

DEPARTMENT OR AGENCY	PROGRAM NAME & ACCOUNT #	FED CITE	DESCRIPTION OF THE PURPOSE OF THE MANDATE	IMPLEMENT-STATION DATE (DD-MM-YY)	FUND (SEE KEY)	AMOUNT	STATE FISCAL YEAR
Education	Learning Systems Team Program 010-05A-Z08173 013-05A-Z08122 013-05A-Z08116 013-05A-Z08103 013-05A-Z08167 013-05A-Z08101	PL 114-95, Sec. 8301-8306	With the passage of Every Student Succeeds Act (ESSA) on December 10, 2016 each state is responsible for submission of a consolidated application to address the state's plan for implementation of Assessment, Accountability, School Improvement, Federal Funding Streams and Teacher Leader Quality. ESSA is the latest version of the Elementary and Secondary Education Act (ESEA) and its purpose is to increase the achievement of children throughout the country.	01-Sep-17	10	Unknown	FY 18-Beyond
Education	Adult Education Program 013-05A-036464	PL 113-128 of the 113th Congress	Workforce Innovation and Opportunity Act, Title II-Adult Education and Literacy, Sections 203-233 went into law July 22, 2014. Final rules and the WIOA State plans which authorized how the states would use the WIOA funds were not approved until June 30, 2016. The purpose of the program is to strengthen the United States workforce development system through innovation in, and alignment and improvement of, employment, training, and education programs in the United States, and to promote individual and national economic growth, and for other purposes.	01-Sep-16	13	\$1,700,000 in grant funding received per year	FY 2017-Beyond

FUND KEY: 010, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 024, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 046, 047, 048, 049, 052, 053, 054, 055, 056, 057, 058, 059, 060, 061, 062, 063, 064, 065, 066, 067, 069, 070, 071, 072, 074, 075, 076, 077, 078, 080, 081, 082, 083, 084, 085, 086, 087, 088, 089, 090, 091, 098, 099, 100

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06A	013-06A-0851-13	40CFR Part 280etseq	EPA revised the rules that apply to the underground storage tank program and requires authorized states to revise the state rules and re-apply for authorization to administer the federal program at the state level.	State rules must be revised and the authorization application filed and processed by 10/15/2018	013	Estimated staff expenses for payroll at 30,000	2016
06A	013-06A-0851-13	40-CFR Part 60, Subpart UUUU	By September 6, 2016: States are required to submit a final state plan or an initial submittal requesting an extension (up to two years) to submit a final state plan to EPA. This plan requires the state to identify the power plants subject to this rule and provide limits to meet EPA's final goals in the year 2030	new deadlines for state action will be established after court actions are completed	013		2016
06A	013-06A-0851-13	Clean Air Act (CAA) Sections 182 and 184	The State will need to adopt Control Technique Guidelines for the Oil and Natural Gas Industry.	Jun-18	013		2016
06A	013-06A-0851-13	40 CPR Part 52	The state will need to change rules and submit a state implementation plan to EPA to address startup, shutdown and malfunction emissions	Dec-17	013		2016
		40 CPR Part 51, Subpart P	The State is required to develop a second Regional Haze state implementation plan to address regional haze emissions for the next ten years.	Dec-18	013		2016

FUND KEY: 010, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 024, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 046, 047, 048, 049, 052, 053, 054, 055, 056, 057, 058, 059, 060, 061, 062, 063, 064, 065, 066, 067, 069, 070, 071, 072, 074, 075, 076, 077, 078, 080, 081, 082, 083, 084, 085, 086, 087, 088, 089, 090, 091, 098, 099, 100

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## FEDERAL MANDATES

DEPARTMENT OR AGENCY	PROGRAM NAME & ACCOUNT #	FED CITE	DESCRIPTION OF THE PURPOSE OF THE MANDATE	IMPLEMENT- STATION DATE (DD-MM-YY)	FUND (SEE KEY)	AMOUNT	STATE FISCAL YEAR
DHHS/CDC-DLC	Medical Facility License 6701-6718	CMS 3295-P	Hospital and Critical Access Changes to Promote Innovation, Flexibility and Improvement in Patient Care. Updating infection Control to include antibiotic stewardship. Updating Hospital Basics Including new CAH Course	11/10/2016	010 014		2017
DHHS/CDC-DLC	Medical Facility License 6701-6717-6718	CMS-3302-F	Revisions to Patient's Rights Conditions for Participation and Conditions for Coverage (CMS-3302-F)- Part of Defense of Marriage Act (DOMA) and Emergency Preparedness Requirements for Medicare and Medicaid Participating Providers and Suppliers (CMS-3178-F)	11/1/2016 effective 12/12/2017	010 014		2018
DHHS/CDC-DLC	Medical Facility License 6701-6717-6718	ACA	Affordable Care Act Posting of Consumer-oriented website for nursing facilities including inspection reports, complain investigations and POC's		010 014	25,000	2017

FUND KEY: 010, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 046, 047, 049, 052, 053, 054, 055, 056, 057, 058, 059, 060, 061, 062, 063, 064, 065, 066, 067, 069, 070, 071, 075, 076, 077, 080, 081, 082, 083, 084, 085, 086, 087, 088, 089, 091, 098, 099, 100

REV. 10/17/2011

Key:  
 DHHS - Department of Health and Human Services  
 CDC - Centers for Disease Control  
 DLC - Division of Licensing and Certification  
 CMS - Centers for Medicare and Medicaid Services  
 ACA - Affordable Care Act  
 CAH - Critical Access Hospital  
 POC - Point of Contact

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DHHS	DSER	26 USC 6103(p)(4)(C)	In order to protect confidential taxpayer information, agencies receiving IRS information must ensure the suitability of individuals with access to Federal Tax Information (FTI). DSER must complete and favorably adjudicate a suitability background check for any such individual, prior to granting access to FTI, and periodically thereafter. A suitability background check, according to IRS Publication 1075, includes, at a minimum, FBI fingerprinting before an applicant is hired, and every ten years thereafter.	9/30/2016	O13	Up to \$12,000 to test existing staff, up to \$1,500 per year thereafter, est. The Federal match of these funds is 66%.	2017

FUND KEY: 010, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 046, 047, 049, 052, 053, 054, 055, 056, 057, 058, 059, 060, 061, 062, 063, 064, 065, 066, 067, 069, 070, 071, 075, 076, 077, 080, 081, 082, 083, 084, 085, 086, 087, 088, 089, 091, 098, 099, 100

REV. 10/17/2011

Key:  
 DHHS - Department of Health and Human Services  
 DSER - Division of Support Enforcement and Recovery  
 USC - United States Code  
 IRS - Internal Revenue Services  
 FBI - Federal Bureau of Investigation

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		§ 1104	Operating Rules (or) For Health Information Transactions	Pending/TBD for CAQH IV		\$305,313.00	
		Medicare Access and CHIP Reauthorization Act (MACRA) of 2015	HICN SSN Removal Project	The Medicare Access and CHIP Reauthorization Act (MACRA) of 2015, requires us to remove Social Security Numbers (SSNs) from all Medicare cards by April 2019.		\$1,460,189.00	

FUND KEY: 010, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 024, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 046, 047, 048, 049, 052, 053, 054, 055, 056, 057, 058, 059, 060, 061, 062, 063, 064, 065, 066, 067, 069, 070, 071, 072, 074, 075, 076, 077, 078, 080, 081, 082, 083, 084, 085, 086, 087, 088, 089, 090, 091, 098, 099, 100

REV. 09/26/2016

Key:  
 CHIP - Children's Health Insurance Program  
 HICN - Health Insurance Claim Number  
 SSN - Social Security Number  
 TBD - To be determined  
 CAQH IV - Council for Affordable Quality Health Care, Phase IV

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DHHS/OCFS/DLRS	CCDF-015-8710-6541	PL113-186- Sec.658E(c) (2)(F) (K) (I) (J) (L)	Protect the health and safety of children in child care	30-09-17			
DHHS/OCFS/DLRS	CCDF-015-8710-6541	PL113-186- Sec.658E(c) (2)(D)	Help parents make informed consumer choices and access information to support child development	30-09-16			
DHHS/OCFS	CCDF-015-8710-6541	PL113-186- Sec.658E(c) (2)(D)(E)	Support equal access to stable, high quality child care for low-income children	30-09-17			
DHHS/OCFS	CCDF-015-8710-6541	PL113-186- Sec.658E(c) (2) (G) Sec. 658G (a) (b) (f)	Enhance the quality of child care and the early childhood workforce	30-09-17			
DHHS/OCFS	2016-VA-GX-0062		VOCA Grant - Victims of Crime Act that funds victim services in Maine for Domestic Violence, Sexual Assault, Human Trafficking and other related services	1-10 15		\$9,458,354.00	2017
DHHS/OCFS		PL 114-95 Sec.1111(g)(1)E Sec.1112(c)(5)(A) &(B)	Every Student Succeeds Act (ESSA)	10-12 16			

FUND KEY: 010, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 046, 047, 049, 052, 053, 054, 055, 056, 057, 058, 059, 060, 061, 062, 063, 064, 065, 066, 067, 069, 070, 071, 075, 076, 077, 080, 081, 082, 083, 084, 085, 086, 087, 088, 089, 091, 098, 099, 100

REV. 10/17/2011

Key:  
 DHHS - Department of Health and Human Services  
 OCFS - Office of Child and Family Services  
 DLRS - Division of Licensing and Regulatory Services  
 CCDF - Child Care and Development Fund



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Maine Department of Labor, Bureau of Unemployment Compensation	Unemployment Insurance, U210	Pub 1075 section 5.1.1 and 5.1.2.	IRS Publication 1075 requires criminal background checks for any employee who has access to Federal Tax Information. Minimum requirement of FBI fingerprinting, check of local law enforcement agencies where employee has lived, worked, or attended school in previous five years, and citizenship validation. Background checks are required to be completed every ten years. This requirement went into effect 10/01/2016 with one year to come into compliance.	10/1/2017	013	\$1,000	18
Maine Department of Labor, Bureau of Unemployment Compensation	Unemployment Insurance, U210	Public Law 114-27, section 407.	Implementing Changes related to reporting for Health Coverage Tax Credit data reports to IRS .	1/3/2017	013	\$15,000	17

FUND KEY: 010, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 024, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 046, 047, 048, 049, 052, 053, 054, 055, 056, 057, 058, 059, 060, 061, 062, 063, 064, 065, 066, 067, 069, 070, 071, 072, 074, 075, 076, 077, 078, 080, 081, 082, 083, 084, 085, 086, 087, 088, 089, 090, 091, 098, 099, 100

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Professional and Financial Regulation	Office of Professional & Occupational Regulation 035201	Dodd-Frank Act Public Law 111- 203 (H.R. 4173)	To implement minimum requirements of the Dodd-Frank Wall Street Reform and Consumer Protection Act to be applied by participating States in the registration and supervision of Appraisal Management Companies (AMCs)	8/10/2018 for full implementation	014	Unknown	FY2017

FUND KEY: 010, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 024, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 046, 047, 048, 049, 052, 053, 054, 055, 057, 058, 059, 060, 061, 062, 063, 064, 065, 066, 067, 069, 070, 071, 072, 074, 075, 076, 077, 078, 080, 081, 082, 083, 084, 085, 086, 087, 088, 089, 090, 091, 098, 099, 100

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