

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
130<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION



Disposition of bills and summaries of all laws enacted or finally passed

**JOINT STANDING COMMITTEE ON HEALTH AND  
HUMAN SERVICES**

July 2022

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## JOINT STANDING COMMITTEE ON HEALTH AND HUMAN SERVICES

Resolve 2021, chapter 142 was finally passed as an emergency measure effective April 7, 2022.

### **LD 1864 Resolve, Regarding Legislative Review of Chapter 33: Family Child Care Provider Licensing Rule, a Major Substantive Rule of the Department of Health and Human Services, Office of Child and Family Services**

#### **ENACTED LAW SUMMARY**

Resolve 2021, chapter 138 authorizes the Department of Health and Human Services, Office of Child and Family Services to adopt its major substantive rule Chapter 33: Family Child Care Provider Licensing Rule as long as certain changes are made to the rule. The rule must be amended to remove certain references to critical violations and administrative fines. The rule must make clarifications to immunization records for providers and staff and must update the child care immunization standards to those published in 2021. The rule must be amended to replace the requirement for both hot and cold water in toilet facilities with a requirement for only running water, make training on transportation of children biennial and require providers to enroll in the Quality Rating and Improvement System within the Office of Child and Family Services.

Resolve 2021, chapter 138 was finally passed as an emergency measure effective March 31, 2022.

### **LD 1865 Resolve, Regarding Legislative Review of Chapter 34: Child Care Provider (Child Care Facilities and Family Child Care Providers) Background Check Licensing Rule, a Major Substantive Rule of the Department of Health and Human Services, Office of Child and Family Services**

#### **ENACTED LAW SUMMARY**

Resolve 2021, chapter 130 authorizes the adoption of Chapter 34: Child Care Provider (Child Care Facilities and Family Child Care Providers) Background Check Licensing Rule, a major substantive rule of the Department of Health and Human Services, Office of Child and Family Services.

Resolve 2021, chapter 130 was finally passed as an emergency measure effective March 16, 2022.

### **LD 1867 An Act To Codify MaineCare Rate System Reform**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 639 formalizes the Department of Health and Human Services' MaineCare provider reimbursement rate system reform effort by establishing rate development principles and processes, specifying rule-making requirements for rate adjustments, establishing

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public access for all stages of rate review, ensuring access to a funding source for associated rate adjustments, establishing an expert technical advisory panel to assist the department on MaineCare rates and payment models, and adding the MaineCare Advisory Committee as an additional advisory body on the rate-setting system.

### **LD 1868 An Act To Restore Funding to the State's Tobacco Prevention and Control Program**

#### **ENACTED LAW**

Public Law 2021, chapter 748 provides ongoing allocations to the Tobacco Prevention and Control Program to achieve a level of funding provided for the program that meets the funding level recommended for this State by the United States Department of Health and Human Services, Centers for Disease Control and Prevention pursuant to its determination for state tobacco control programs, as long as the available funds in the Fund for a Healthy Maine allow that level of funding.

Public Law 2021, chapter 748 was enacted as an emergency measure effective May 8, 2022.

### **LD 1909 An Act To Amend Syringe Service Programs**

#### **ENACTED LAW**

Public Law 2021, chapter 545 removes the prohibition on the Maine Center for Disease Control limiting the number of hypodermic apparatuses provided by certified hypodermic apparatus exchange programs to exchange program participants.

### **LD 1960 An Act To Make Changes to the Laws Governing the Child Welfare Services Ombudsman Program**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 550 makes the following changes to the laws governing the child welfare services ombudsman program.

1. It provides that the director of the ombudsman program must serve full time and expands the director's required experience to include child welfare.
2. It provides that the staffing for the ombudsman program is at the discretion of the nonprofit organization under contract to provide ombudsman services.
3. It provides that the contract to provide ombudsman services is for a period of five years, except that the contract may be terminated consistent with the terms of the contract.