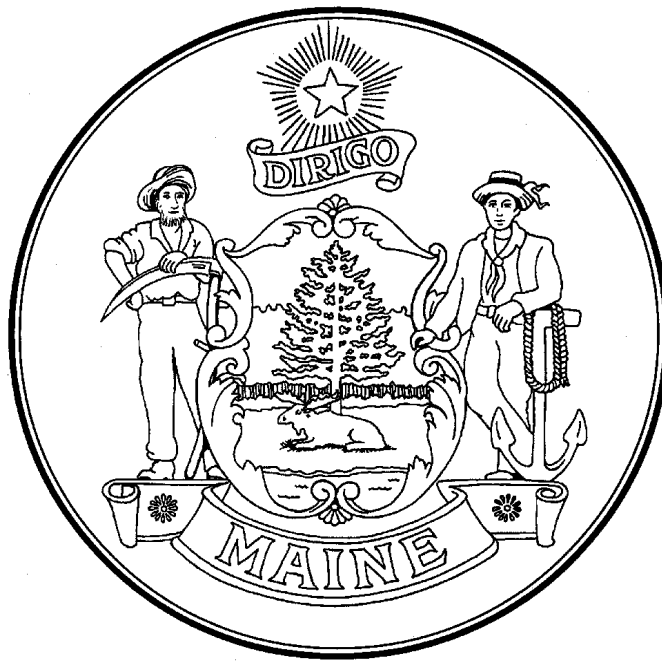


MAINE STATE LEGISLATURE

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STATE OF MAINE
132ND LEGISLATURE
SECOND REGULAR SESSION



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

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

May 2026

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of nonparticipating manufacturer adjustments disputed for 2028 and thereafter and a proportionate share of interest or other investment income on balances in the Fund for a Healthy Maine. It provides that funds must be used to eliminate the need for the working capital advance before April 30, 2028. It requires that, if the need for a working capital advance is not eliminated before April 30, 2028, any funds in the stabilization fund remaining in subsequent years must be used to reduce reliance on those sources until all settlement payments can be allocated to the fiscal year following the year the settlement payments are received. Any remaining funds may be used for research and planning activities to supplement and connect current efforts among state agencies and stakeholders and for health promotion purposes allowable within the Fund for a Healthy Maine. If the stabilization fund is eliminated or dissolved for any reason, the State Controller must transfer the balance of funds back to the Fund for a Healthy Maine.

Public Law 2025, chapter 641 was enacted as an emergency measure effective April 6, 2026.

LD 1893 An Act to Establish the Independent Office of the Child Advocate

Public Law 2025, chapter 724 eliminates the child welfare services ombudsman program and replaces it with the Office of the Child Advocate, beginning October 1, 2026. The Office of the Child Advocate is housed within the Department of Administrative and Financial Services for administrative purposes only.

The Child Advocate is appointed for a five-year term that may be renewed. The Child Advocate must have a professional graduate degree in law, health care, public health, social work or a related field. The Child Advocate must also have knowledge of safety science and juvenile correctional practices or be willing to undergo training. The Child Advocate is subject to review by the joint standing committee of the Legislature having jurisdiction over health and human services matters and to confirmation by the Legislature.

The Office of the Child Advocate is established to provide independent oversight of state agencies and promote the best interests of children and ensure that children receive timely, safe and effective services in accordance with state and federal law. The office is required to review complaints and determine if it is necessary to investigate the actions of a state agency and make recommendations to address concerns, identify whether the issue is systemic and make recommendations on specific complaints. The office may complete case-specific reviews on the receipt of complaints or on the office's own initiative. The office may complete systems-wide or periodic review of policies, programs, rules, procedures or services offered to children and offer recommendations to address systemic concerns. The office is also required to provide information and referral assistance to families and the public and assist them in navigating and accessing services, provided that such information and assistance does not constitute legal representation. The office is also required to perform educational outreach and advocacy.

The Office of the Child Advocate is authorized to access to files and records from the Department of Health and Human Services and to the premises of the department. The office may also visit facilities and residential programs serving children. The office has access to juvenile information held by the Department of Corrections except for juvenile intelligence and investigative record

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information and personnel records. The office may enter the premises of the department as long as the entry does not create a safety and security concern. Information obtained, held or created by the office is confidential and may be disclosed only under certain circumstances.

The law also creates the Advisory Committee to the Child Advocate, an 11-member committee with members who serve three-year terms, except for legislative members whose terms are coterminous with their term in office. The duties of the advisory committee include: recommending at least three qualified candidates for the Child Advocate position to the Governor as well as determining whether to recommend reappointment of the Child Advocate; evaluating the Child Advocate's performance; recommending cost-of-living or salary increases for the Child Advocate and requesting the Governor to include any salary increase in the next budget; advising on the strategic direction of the office; working collaboratively with the Child Advocate to provide fiscal oversight and compliance with federal and state laws; and providing consultation to the office in its efforts to promote an effective, comprehensive and coordinated system of services and programs. Appointments to the advisory committee must be completed by March 15, 2027.

The Child Advocate is required to report annually to the Governor, the joint standing committees of the Legislature having jurisdiction over health and human services matters and juvenile justice matters and the Advisory Committee to the Child Advocate. The joint standing committee of the Legislature having jurisdiction over health and human services matters has oversight over the operations of the office and may make recommendations to the Governor and report out legislation related to the annual report.

The law transfers the funding and the positions from the current ombudsman contract to the Office of the Child Advocate as of October 1, 2026. The appointment of the first Child Advocate must be made by July 15, 2027. The new Child Advocate may hire staff as necessary, which may include staff that were transferred. Beginning April 1, 2027, funding is available for two additional staff, one of which is professional child advocate staff and one of which is administrative staff. The law also provides an additional \$100,000 in one-time funding for staffing, office expenses, training and contractual services. The Governor is required to appoint an interim Child Advocate by October 1, 2026, giving preference to the current ombudsman. The interim Child Advocate is required to prepare an in-depth report of resource needs, including staffing, equipment, travel and consultancies, to implement the new office. This report must be submitted by February 15, 2027 to the joint standing committee of the Legislature having jurisdiction over health and human services matters. The joint standing committee may report out legislation related to that report to make any necessary adjustments to the office.

LD 1989 An Act to Increase Access to the Progressive Treatment Program Fund

Public Law 2025, chapter 576 changes eligibility for reimbursement from the Progressive Treatment Program Fund by replacing the term "private entities" with a list of individuals eligible to receive reimbursements, including the superintendent or chief administrative officer of a private psychiatric hospital, the director of an ACT team, a private medical practitioner, a law enforcement officer or the legal guardian of the patient who is the subject of an application to a progressive treatment program. It also allows reimbursement for legal costs incurred to extend an existing