130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document	**No. 1077**
S.P. 345	In Senate, March 11, 2021

Resolve, To Promote Equity in COVID-19 Immunizations

(EMERGENCY)

Reference to the Committee on Health and Human Services suggested and ordered printed.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator LIBBY of Androscoggin.
Cosponsored by Representative TALBOT ROSS of Portland and
Senators: CLAXTON of Androscoggin, DAUGHTRY of Cumberland, President JACKSON of Aroostook, VITELLI of Sagadahoc, Representatives: BROOKS of Lewiston, CLOUTIER of Lewiston, CRAVEN of Lewiston, MEYER of Eliot.

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

Whereas, the spread of the novel coronavirus disease referred to as COVID-19 has created a public health emergency; and

Whereas, in response to this widespread disease, the World Health Organization has declared a pandemic, the President of the United States has declared a national emergency and the Governor of Maine has declared a civil state of emergency; and

Whereas, historically vulnerable populations in Maine have been disproportionately affected by COVID-19; and

Whereas, COVID-19 vaccine development and distribution by the federal program Operation Warp Speed is ongoing; and

Whereas, the advisory committee on immunization practices for the federal Centers for Disease Control and Prevention has made recommendations for priority of COVID-19 vaccinations; and

Whereas, Maine's Department of Health and Human Services is developing and implementing criteria, priorities and plans for the administration of COVID-19 vaccinations; and

Whereas, equitable access to COVID-19 vaccinations is essential to combatting this pandemic; 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 provide outreach and education related to COVID-19 vaccines to rural populations and historically vulnerable populations. Resolved: That, within existing resources, including any federal funds, the Department of Health and Human Services shall implement a program providing outreach and education to rural populations and to historically vulnerable populations that includes information about where and how to receive a COVID-19 vaccine, vaccine safety and disease prevention. Outreach under this program must be tailored to rural populations and to historically vulnerable populations and must use methods that are likely to reach those populations, including but not limited to direct phone calls.

Sec. 2. Department of Health and Human Services to increase MaineCare reimbursement rates for COVID-19 vaccine administration. Resolved: That the Department of Health and Human Services shall amend rule Chapter 101: MaineCare Benefits Manual, Chapter I, Section 5, COVID-19 Public Health Emergency Services to provide that the activities associated with the administration of COVID-19 vaccines are reimbursed to the maximum extent allowable under federal law. The Department of Health and Human Services shall submit a request for a waiver or state plan amendment to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services as necessary to implement this section. Rules adopted pursuant to this

section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

Sec. 3. Department of Health and Human Services to report to the Joint Standing Committee on Health and Human Services on COVID-19 vaccinations. Resolved: That beginning 7 days after the effective date of this legislation and every 6 weeks thereafter until the end of the Governor's declaration of a state of emergency due to COVID-19, the Department of Health and Human Services shall report to the Joint Standing Committee on Health and Human Services on the progress the State is making in vaccinating state residents with COVID-19 vaccines. This report must include, but may not be limited to, data on the vaccination of state residents generally and of historically vulnerable populations and the activities around and success of public education and outreach efforts.

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

SUMMARY

This resolve requires the Department of Health and Human Services to:

1. Implement an outreach and education program, using existing resources, including federal funding sources, that is tailored to reach rural populations and historically vulnerable populations with information about where and how to receive a COVID-19 vaccine, vaccine safety and disease prevention;

2. Amend its rules in Chapter 101: MaineCare Benefits Manual, Chapter I, Section 5, COVID-19 Public Health Emergency Services to provide that the activities associated with the administration of COVID-19 vaccines under the MaineCare program are reimbursed to the maximum extent allowable under federal law; and

3. Report to the Joint Standing Committee on Health and Human Services on the progress the State is making in vaccinating state residents with COVID-19 vaccines beginning 7 days after the effective date of this legislation and every 6 weeks thereafter until the end of the Governor's declaration of a state of emergency due to COVID-19.