130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document **No. 1173**

H.P. 851 House of Representatives, March 22, 2021

Resolve, To Develop a Plan To Treat in Maine Those Children with Behavioral Health Needs Currently Treated Outside the State

(EMERGENCY)

Received by the Clerk of the House on March 18, 2021. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

ROBERT B. HUNT
Clerk

Presented by Representative GRAMLICH of Old Orchard Beach.
Cosponsored by Senator BALDACCI of Penobscot and
Representatives: CRAVEN of Lewiston, MADIGAN of Waterville, PERRY of Calais, STOVER of Boothbay.

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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, Resolve 2019, chapter 54 requires the Department of Health and Human Services to coordinate with families of children who are receiving residential treatment services for behavioral health issues outside the State to develop plans to bring the children back to the State to receive certain required services; and

Whereas, travel restrictions imposed in connection with the COVID-19 pandemic have made it extremely difficult for families to visit their children outside the State and it is imperative to bring them back to the State as soon as practicable; and

Whereas, this resolve requires the Department of Health and Human Services to develop a plan to implement Resolve 2019, chapter 54; 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 submit plan regarding children receiving services outside the State. Resolved: That, within 30 days after this legislation takes effect, the Department of Health and Human Services shall submit to the Joint Standing Committee on Health and Human Services a plan for implementing Resolve 2019, chapter 54. The Joint Standing Committee on Health and Human Services may report out a bill regarding the department's plan to the First Regular Session of the 130th Legislature.

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 submit to the Joint Standing Committee on Health and Human Services, within 30 days after this legislation takes effect, a plan for implementing Resolve 2019, chapter 54. Resolve 2019, chapter 54 requires the department to coordinate with families of children who are receiving residential treatment services for behavioral health issues outside the State to develop plans to bring the children back to the State to receive the required services that would be received under the department's rule Chapter 101: MaineCare Benefits Manual, Chapter II, Section 97, Private Non-Medical Institution Services. Resolve 2019, chapter 54 also requires the department to negotiate related reimbursement rates in order to provide services to the children.