

## 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

**Legislative Document** 

No. 1696

H.P. 1211

House of Representatives, May 7, 2019

Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 28: Allowances for Rehabilitative and Community Support Services for Children with Cognitive Impairments and Functional Limitations, a Latefiled Major Substantive Rule of the Department of Health and Human Services

(EMERGENCY)

Reported by Representative HYMANSON of York for the Department of Health and Human Services pursuant to the Maine Revised Statutes, Title 5, section 8072 and approved for introduction by a majority of the Legislative Council.

Reference to the Committee on Health and Human Services suggested and ordered printed pursuant to Joint Rule 218.

ROBERT B. HUNT

R(+ B. Hunt

Clerk

1 **Emergency preamble.** Whereas, acts and resolves of the Legislature do not 2 become effective until 90 days after adjournment unless enacted as emergencies; and Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires 3 legislative authorization before major substantive agency rules may be finally adopted by 4 the agency; and 5 Whereas, a major substantive rule has been submitted to the Legislature outside the 6 legislative rule acceptance period; and 7 8 Whereas, immediate enactment of this resolve is necessary to record the 9 Legislature's position on final adoption of the rule; and 10 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 11 immediately necessary for the preservation of the public peace, health and safety; now, 12 therefore, be it 13 **Sec. 1.** Adoption. Resolved: That final adoption of portions of Chapter 101: 14 MaineCare Benefits Manual, Chapter III, Section 28: Allowances for Rehabilitative and 15 Community Support Services for Children with Cognitive Impairments and Functional 16 Limitations, a provisionally adopted major substantive rule of the Department of Health 17 and Human Services that has been submitted to the Legislature for review pursuant to the 18 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A outside the legislative rule 19 20 acceptance period, is authorized. 21 Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved. 22 23 SUMMARY 24 This resolve provides for legislative review of portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 28: Allowances for Rehabilitative and Community 25 Support Services for Children with Cognitive Impairments and Functional Limitations, a 26 27 major substantive rule of the Department of Health and Human Services that was filed outside the legislative rule acceptance period. 28