



# 132nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2025

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Legislative Document

No. 279

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S.P. 129

In Senate, January 28, 2025

**An Act to Address the Shortage of Direct Care Workers for  
Children with Disabilities in Maine**

(EMERGENCY)

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator BALDACCI of Penobscot.

Cosponsored by Senators: GROHOSKI of Hancock, INGWERSEN of York, RAFFERTY of York.

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

3           **Whereas,** a shortage of direct care workers has resulted in individuals, including  
4 children, who are eligible for in-home personal care services but are not receiving critical  
5 services; and

6           **Whereas,** parents of children eligible for in-home personal care services are leaving  
7 paid employment to provide care in the absence of available direct care workers, resulting  
8 in economic hardship; and

9           **Whereas,** this legislation requires the Department of Health and Human Services to  
10 submit a request for the necessary state plan amendment or Medicaid waiver from the  
11 Federal Government as soon after enactment as possible; and

12           **Whereas,** in the judgment of the Legislature, these facts create an emergency within  
13 the meaning of the Constitution of Maine and require the following legislation as  
14 immediately necessary for the preservation of the public peace, health and safety; now,  
15 therefore,

16 **Be it enacted by the People of the State of Maine as follows:**

17           **Sec. 1. 22 MRSA §1717, sub-§2-A,** as enacted by PL 2023, c. 309, §5, is amended  
18 to read:

19           **2-A. Licensing of personal care agencies.** Beginning July 1, 2024, an entity may not  
20 provide home care services without a personal care agency license issued by the department  
21 in accordance with this section. Beginning November 1, 2025, a parent who is registered  
22 pursuant to section 3174-PPP may provide in-home personal care services in accordance  
23 with section 3174-PPP. All application fees for a license under this section are  
24 nonrefundable and are due upon submission of the application.

25           A. A personal care agency that holds an unexpired registration issued in accordance  
26 with subsection 2 may continue to provide home care services until the registration  
27 expires.

28           This paragraph is repealed July 1, 2025.

29           B. A personal care agency holding an unexpired registration issued in accordance with  
30 subsection 2 is not required to obtain a license until the registration expires.

31           This paragraph is repealed July 1, 2025.

32           **Sec. 2. 22 MRSA §3174-PPP** is enacted to read:

33 **§3174-PPP. In-home personal care services to children**

34           **1. Reimbursement for parent.** A parent of a child who is eligible for in-home  
35 personal care services under the MaineCare program may register as a personal care  
36 agency, as defined in section 1717, subsection 1, paragraph C and determined in department  
37 rule, and receive reimbursement for providing those services to the child if the following  
38 requirements are met:

39           A. The parent has made reasonable but unsuccessful efforts to obtain regular in-home  
40 personal care services; and

