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Date: (Filing No. H- )

**HEALTH AND HUMAN SERVICES**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
132ND LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 16, L.D. 52, “An Act to Require the Department of Health and Human Services to Apply for Federal Benefits on Behalf of Children in the Department's Custody Who May Be Eligible for Those Benefits”

Amend the bill by striking out the title and substituting the following:

**'Resolve, Requiring the Department of Health and Human Services to Study Options for Allowing Children in the Department's Custody to Receive Federal Benefits'**

Amend the bill by striking out everything after the title and inserting the following:

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

**Whereas,** children in the custody of the State have significant disadvantages and receiving federal benefits to which they are entitled could provide some mitigation to those disadvantages; and

**Whereas,** an effective date of 90 days after adjournment does not allow sufficient time for the Department of Health and Human Services to conduct an examination of options for allowing such children to receive federal benefits; 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 study options for allowing children in department's custody to receive federal benefits.**

**Resolved:** That the Department of Health and Human Services shall study options for allowing children who are in the department's custody and who may be eligible for a federal benefit to keep that benefit in a special needs trust until the child exits the custody of the department. The department shall review programs that have been implemented in other states and municipalities that allow children to retain federal benefits. The department shall estimate the number of children in this State that may be eligible for federal benefits, the

**COMMITTEE AMENDMENT**

1 cost to the State if those benefits are kept in trust and are no longer available for paying for  
 2 the cost of care of children in custody and the cost to the State of administering the trust  
 3 funds and evaluate whether there is a need for financial literacy training for children with  
 4 federal benefits in trust funds. The department shall consult with any stakeholders and  
 5 individuals with relevant expertise. For the purposes of this section, "federal benefit"  
 6 means a benefit administered by the United States Social Security Administration under  
 7 Title II of the United States Social Security Act or by the United States Department of  
 8 Veterans Affairs. The department shall submit a report no later than January 2, 2026 with  
 9 its findings and any suggested statutory changes necessary to implement a program that  
 10 allows children in state custody to retain federal benefits to the Joint Standing Committee  
 11 on Health and Human Services. The committee is authorized to report out legislation to  
 12 the Second Regular Session of the 132nd Legislature.

13 **Sec. 2. Appropriations and allocations. Resolved:** That the following  
 14 appropriations and allocations are made.

15 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

16 **State-funded Foster Care/Adoption Assistance 0139**

17 Initiative: Provides one-time funding to contract for services to study options for allowing  
 18 children in the custody of the department to retain certain federal benefits in a special needs  
 19 trust.

20 <b>GENERAL FUND</b>	<b>2025-26</b>	<b>2026-27</b>
21 All Other	\$125,000	\$0
22		
23 GENERAL FUND TOTAL	\$125,000	\$0

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

26 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
 27 number to read consecutively.

28 **SUMMARY**

29 This amendment replaces the bill with a resolve. The amendment requires the  
 30 Department of Health and Human Services to study options for allowing children who are  
 31 in the department's custody and who may be eligible for a federal benefit to keep that  
 32 benefit in a special needs trust until the child exits the custody of the department. The  
 33 department must review programs that have been implemented in other states and  
 34 municipalities that allow children to retain federal benefits. The department must estimate  
 35 the number of children in this State that may be eligible for federal benefits, the cost to the  
 36 State if those benefits are kept in trust and are no longer available for paying for the cost of  
 37 care of children in custody and the cost to the State of administering trust funds and evaluate  
 38 whether there is a need for financial literacy training for children with federal benefits in  
 39 trust funds. The department must submit a report with findings and recommendations,  
 40 including suggested legislation, no later than January 2, 2026 to the Joint Standing  
 41 Committee on Health and Human Services. The committee is authorized to report out

COMMITTEE AMENDMENT “ ” to H.P. 16, L.D. 52

1 legislation to the Second Regular Session of the 132nd Legislature. The amendment  
2 replaces the emergency preamble.

3

**FISCAL NOTE REQUIRED**

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**(See attached)**