

131st MAINE LEGISLATURE

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Legislative Document

No. 523

H.P. 328

House of Representatives, February 9, 2023

Resolve, Regarding Legislative Review of Chapter 5, Section 63: Home Based Supports and Services for Older and Disabled Adults and Chapter 11: Consumer Directed Personal Assistance Services, Major Substantive Rules of the Department of Health and Human Services, Office of Aging and Disability Services

(EMERGENCY)

Reported by Representative MEYER of Eliot for the Department of Health and Human Services, Office of Aging and Disability Services pursuant to the Maine Revised Statutes, Title 5, section 8072.

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 3 Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires 4 legislative authorization before major substantive agency rules may be finally adopted by 5 the agency; and 6 **Whereas,** major substantive rules have been submitted to the Legislature for review; 7 and 8 Whereas, immediate enactment of this resolve is necessary to record the Legislature's 9 position on final adoption of the rules; and 10 Whereas, in the judgment of the Legislature, these facts create an emergency within 11 the meaning of the Constitution of Maine and require the following legislation as 12 immediately necessary for the preservation of the public peace, health and safety; now, 13 therefore, be it 14 Sec. 1. Adoption. Resolved: That final adoption of Chapter 5, Section 63: Home Based Supports and Services for Older and Disabled Adults and Chapter 11: Consumer 15 Directed Personal Assistance Services, provisionally adopted major substantive rules of the 16 17 Department of Health and Human Services, Office of Aging and Disability Services that have been submitted to the Legislature for review pursuant to the Maine Revised Statutes, 18 19 Title 5, chapter 375, subchapter 2-A, is authorized. 20 **Emergency clause.** In view of the emergency cited in the preamble, this legislation 21 takes effect when approved. 22 **SUMMARY** 23 This resolve provides for legislative review of Chapter 5, Section 63: Home Based 24 Supports and Services for Older and Disabled Adults and Chapter 11: Consumer Directed 25 Personal Assistance Services, major substantive rules of the Department of Health and 26 Human Services, Office of Aging and Disability Services.