

Janet T. Mills
Governor

Sara Gagné-Holmes
Commissioner



Maine Department of Health and Human Services
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January 30, 2025

Senator Henry Ingwersen, Chair
Representative Michele Meyer, Chair
Members of the Joint Standing Committee on Health and Human Services
#100 State House Station
Augusta, Maine 04333-0100

Dear Senator Ingwersen, Representative Meyer, and Members of the Joint Standing Committee on Health and Human Services:

I am pleased to submit the report on rulemaking for the second quarter of FY 2025, pursuant to Public Law 2003, c. 689, §A-2, requiring the Department of Health and Human Services to submit quarterly reports to the Committee, summarizing the rulemaking activity of the Department.

We have based our report on the format and information supplied by the Secretary of State, Bureau of Corporations, Elections and Commissions, to tally rules that have been adopted and proposed for this Department.

Please let me know if you have any questions or comments concerning this report.

Sincerely,

A handwritten signature in black ink that reads "Sara Gagné-Holmes".

Sara Gagné-Holmes
Commissioner

SGH/klv

cc: Governor's Office

DHHS Quarterly Report on Rulemaking

**Submitted to the
Joint Standing Committee on Health and Human Services**

(Pursuant to P.L. 2003 Chapter 689, Part A. § A-2)

P.L. 2003, c. 689, Part A. § A-2, requires the Department of Health and Human Services to submit quarterly reports on rulemaking, pursuant to:

“Sec. A-2. Quarterly report; rulemaking. Beginning October 1, 2004, the Commissioner of Health and Human Services shall provide the joint standing committee of the Legislature having jurisdiction over health and human services matters with a quarterly report that summarizes rule—making activity of the Department of Health and Human Services.”

About the APA: The intent of the Maine Administrative Procedure Act (A.P.A.), [5 MRSA sec. 8001 through 11008](#) is to improve public access to agency decision-making and to increase awareness of agency rules. In Maine, the Administrative Procedure Act was adopted at the First Session of the 108th Legislature, with some amendments since. It applies uniform requirements to state agencies which have rulemaking power, and sets minimum standards for agencies to follow in adopting and implementing rules. Very generally, the A.P.A. establishes a uniform, comprehensive set of procedures covering:

- The administrative actions of state agencies, including rulemaking, advisory rulings, adjudicatory proceedings, and licensing; and
- Judicial review of those actions.

We have based our report on the format used by the Secretary of State’s Office, Bureau of Corporations, Elections, and Commissions, to tally rules that are promulgated, and separately those that are proposed, for the Department of Health and Human Services.

In addition to the “subject matter” noted in the right-most column, additional summary statements for each of these rules are filed as paper-copy “basis statements” in the office of the Secretary of State’s APA Coordinator, and are available for review.

Rules promulgated by DHHS in the second quarter FY 2025:

Effective Date (may have been published later)	Citation/ Adopted Rule Number	Promulgated by DHHS in the second quarter – FY 2025	TYPE OF RULE	CHAPTER NUMBER & TITLE
10-7-24	10-146 2024-226	Maine Center for Disease Control and Prevention	Amend.	Ch. 4, Disclosure of Vital Statistics Data, Reports and Records Rule www.maine.gov/dhhs/mecdc/rules/maine-cdc-rules.shtml
10-13-24	10-144 2024-232	Office for Family Independence	Amend.	Ch. 333, Low Cost Drugs for the Elderly and Disabled (DEL) E Eligibility Manual www.maine.gov/dhhs/ofi/rules/index.shtml

Effective Date (may have been published later)	Citation/ Adopted Rule Number	Promulgated by DHHS in the second quarter – FY 2025	TYPE OF RULE	CHAPTER NUMBER & TITLE
10-13-24	10-144 2024-233	Office for Family Independence	Amend.	Ch. 331: Public Assistance Manual Temporary Assistance for Needy Families (TANF) – Chapter IV TANF Rle #120A – Step Disregard www.maine.gov/dhhs/ofirules/index.shtml
10-15-24	10-144 2024-234	Maine Center for Disease Control and Prevention	Amend.	Ch. 265, Substance Use Testing for the Workplace Rule www.maine.gov/dhhs/mecdc/rules/maine-cdc-rules.shtml
10-22-24	10-144/ 2024-240	Office for Family Independence	Amend.	Ch. 332, MaineCare Eligibility Manual – Part 2 MaineCare Rule #308A – Eligibility and Verification Changes www.maine.gov/dhhs/ofirules/index.shtml
10-29-24	10-144/ 2024-247	Office for Family Independence	Emergency	Ch. 323, Maine General Assistance (GA) Manual; Section V – Maximums, Categories and Levels of Assistance GA Rule #26 – PL 2024, Ch. 643 www.maine.gov/dhhs/ofirules/index.shtml
10-30-24	10-144 2024-245	Office of MaineCare Services	Amend.	Ch. 101, MaineCare Benefits Manual, Ch. II, Sec. 43, Hospice Services www.maine.gov/dhhs/oms/rules/index.shtml
11-6-24	10-144/ 2024-248	Office of MaineCare Services	Amend.	Ch. 101, Chapter III, Section 45, Principles of Reimbursement for Hospital Services www.maine.gov/dhhs/oms/rules/index.shtml

Effective Date (may have been published later)	Citation/ Adopted Rule Number	Promulgated by DHHS in the second quarter – FY 2025	TYPE OF RULE	CHAPTER NUMBER & TITLE
11-17-24	10-144/ 2024-257	Office for Family Independence	Amend.	Ch. 301, Supplemental Nutrition Assistance Program (SNAP) Rules; Section 999-2 SNAP Rule #234A – ABAWD Geographic Exemptions www.maine.gov/dhhs/ofirules/index.shtml
11-17-24	10-144/ 2024-258	Office for Family Independence	Amend.	Ch. 301, Supplemental Nutrition Assistance Program (SNAP) Rules; Section 999-3 SNAP Rule #236 – FFY 25 Budgeting Figures www.maine.gov/dhhs/ofirules/index.shtml
11-18-24	10-144/ 2024-260	Maine Center for Disease Control and Prevention	Amend.	Ch. 223, Tanning Facilities Rule www.maine.gov/dhhs/mecdc/rules/maine-cdc-rules.shtml
11-24-24	10-144/ 2024-261	Division of Licensing and Certification	Repeal	Ch. 500, Rules Governing the Maine Certification of Healthcare Cooperative Agreements www.maine.gov/dhhs/dlc/about-us/rules-regulations/rulemaking
12-17-24	10-144/ 2024-272	Office for Family Independence	Amend.	Ch. 301; Supplemental Nutrition Assistance Program (SNAP) Rules, Section 777-4 – Claims and Collections; SNAP Rule #235A – Procedures for Replacing Benefits Stolen Electronically www.maine.gov/dhhs/ofirules/index.shtml
12-25-24	10-118 2024-276	Office of Behavioral Health (joint rule with Maine State Housing Authority)	New	Ch. 20, Housing First Program Administrative Responsibility Rule www.maine.gov/dhhs/obh/about/obh-rules

Effective Date (may have been published later)	Citation/ Adopted Rule Number	Promulgated by DHHS in the second quarter – FY 2025	TYPE OF RULE	CHAPTER NUMBER & TITLE
12-28-24	10-149/ 2024-275	Office of Aging and Disability Services	Amend.	Ch. 5, Sec. 63, Home-Based Supports and Service for Older and Disabled Adults www.maine.gov/dhhs/oads/trainings-resources/policy.html

Rules *proposed* by DHHS in the second quarter FY 2025:

DATE	PROPOSED RULE NUMBER	Rules <i>proposed</i> by DHHS in the second quarter FY 2025	CHAPTER NUMBER AND TITLE
10-16-24	2024-P288	Office of Health Insurance Marketplace	Ch. 740, Easy Enrollment Program www.maine.gov/dhhs/ohim
10-16-24	2024-P291	Office for Family Independence	Ch. 301, Supplemental Nutrition Assistance Program (SNAP) Rules; Section 777-4 SNAP Rule #235P – Procedures for Replacing Benefits Stolen electronically www.maine.gov/dhhs/ofi/rules/index.shtml
10-23-24	2024-P301	Division of Licensing and Certification	Ch. 113, Assisted Housing Programs Licensing Rule www.maine.gov/dhhs/dlc/about-us/rules-regulations/rulemaking
10-30-24	2024-P305	Office of Behavioral Health (joint rule with Maine State Housing Authority)	Ch. 20, Housing First Program Administrative Responsibility Rule www.maine.gov/dhhs/obh/about/obh-rules
11-6-24	2024-P309	Office for Family Independence	Ch., 331, Public Assistance Manual Temporary Assistance for Needy Families (TANF) Manual, Chapter V – TANF Rule #122P – Mileage Reimbursement Update www.maine.gov/dhhs/ofi/rules/index.shtml

DATE	PROPOSED RULE NUMBER	Rules <i>proposed</i> by DHHS in the second quarter FY 2025	CHAPTER NUMBER AND TITLE
11-6-24	2024-P310	Office for Family Independence	Ch. 323, Maine General Assistance (GA Manual, Sections II, III, V, VI, VII, X, XI, XII and XIII GA Rule #26P – P.L. 2024, Chapters 575 and 643 www.maine.gov/dhhs/ofi/rules/index.shtml
11-20-24	2024-P301 (republish)	Division of Licensing and Certification	Ch. 113, Assisted Housing Programs Licensing Rule www.maine.gov/dhhs/dlc/about-us/rules-regulations/rulemaking
12-11-24	2024-P218, P219	Office of Aging and Disability Services	Ch. 3, Definition of Mental Retardation and Autism; Appeal Procedure (Title 14-197) Ch. 5, Section 2, Developmental Disability Services for Adults with an Intellectual Disability or Autism Spectrum Disorder (Title 14-149) www.maine.gov/dhhs/oads/trainings-resources/policy.html
12-11-24	2024-P323	Office of Child and Family Services	Ch. 22, Safe Haven Baby Boxes www.maine.gov/dhhs/ocfs/policy.shtml
12-11-24	2024-P324	Office for Family Independence	Ch. 332, MaineCare Eligibility Manual Part 2 MaineCare Rule #310P – Part 2, Section 9 Update www.maine.gov/dhhs/ofi/rules/index.shtml
12-18-24	2024-P325	Maine Center for Disease Control and Prevention	Ch. 707, Rules Relating to the National Breast and Cervical Cancer Early Detection Program in Maine www.maine.gov/dhhs/mecdc/rules/maine-cdc-rules.shtml
12-18-24	2024-P326	Maine Center for Disease Control and Prevention	Ch. 708, Rules Relating to the Breast and Cervical Cancer Prevention and Treatment Act in Maine www.maine.gov/dhhs/mecdc/rules/maine-cdc-rules.shtml