

Annual List of Rulemaking Activity
Rules Adopted January 1, 2020 to December 31, 2020
Prepared by the Secretary of State pursuant to 5 MRS §8053-A sub-§5

Agency name: Department of Defense, Veterans and Emergency Management,
Bureau of Maine's Veterans Services

Umbrella-Unit: **15-215**

Statutory authority: 37-B MRS §513-A

Chapter number/title: **Ch. 3** (*New*), Administration of the Veteran's Homelessness
Prevention Coordination Program

Filing number: **2020-214**

Effective date: 10/5/2020

Type of rule: Routine Technical

Emergency rule: No

Principal reason or purpose for rule:

The program and the rules will provide funding for transitional housing to homeless veterans and coordinate efforts to remedy and prevent homelessness among veterans in the state. The purpose of this rule is to ensure that funds are given to organizations that are equipped to provide adequate housing services to homeless veterans in a safe, unbiased manner. To do this, the rule establishes eligibility criteria which recipient organizations must meet prior to receiving funds.

Basis statement:

The rule establishes the process to govern the administration of the recently-enacted Veterans Homeless Prevention Coordination Program pursuant to Title 37-B MRS §513-A. The program will provide funding for transitional housing to homeless veterans and coordinate efforts to remedy and prevent homelessness among veterans in the state. The rule also outlines the procedure for establishing collaborative agreements with human services-based volunteer organizations and sets forth the requirements and eligibility criteria for those providers, a reimbursement rate and billing schedule, and procedures to remedy any misuse of the funds. The rule also establishes administration guidelines, annual inspection requirements and the process for re-consideration of Bureau decisions denying reimbursement. Provider(s) will be required to submit monthly updates on assistance rendered under this program.

The rule provides a reimbursement rate (\$50 a night) that closely follows the per diem rate that the U.S. Veterans Administration establishes for its homeless veterans' program, pursuant to 38 USC §2012. Reimbursement would be made for up to 30 continuous nights to a veteran who is a resident of Maine and who meets the definition of a veteran as outlined in these rules.

The rule establishes eligibility for reimbursement to a human service-based volunteer organization on a case-by-case basis as authorized in Title 37-B MRS §513-A. The rule also outlines the procedure for establishing collaborative agreements and programs of partnerships with human services-based volunteer organizations and sets forth the requirements and eligibility criteria for providers, the reimbursement billing schedule, and procedures to remedy any misuse of the funds.

Changes from the proposed rule include the addition of a case management reference to the Section 3 Provider Requirements subsection 7 in response to a comment. Also, in Section 3 subsection 18 a clarification has been added that the Provider must facilitate enrollment of the Veteran in the Bureau's case management system and identify the Veteran whose care is being reimbursed in order to better assist and coordinate services and programs for the identified homeless veteran. Also, the reference to the requirements if religious activities are offered was moved from Section 2 Provider Eligibility to Section 3 Provider Requirements for better readability. An additional clarifying requirement regarding discrimination was added to Section 3

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Subsection 5. Namely, if a Provider or Facility departs from the non-discrimination requirement in order to serve a particularly underserved population (i.e. female veterans), then that Provider or Facility would have the ability to explain this practice to the Bureau's satisfaction in order to receive funding under this program.

Also, the Bureau has changed the wording of Section 4 subsection A to remove "identifying and" in order to better describe the activities that a Provider would be eligible for reimbursement; namely securing housing for homeless veterans. Also, a requirement that the Provider facilitate enrollment in the Bureau's case management system was added to Section 4. Administration of the Fund in order to ensure that the affected Veteran is afforded all the services available to them. The Bureau also amended the definition of Veteran in Section 1 to align with the recently-amended definition of Veteran under LD 1926 for 37-B MRS §505, sub-§1-C. Finally, a definition for "Facility" was added in Section 2 for clarification purposes to describe locations where a Provider may provide services to Persons Experiencing Homelessness who also meet the definition of a Veteran.

Given the State of Emergency that the State of Maine was experiencing at the time of the proposed rule being advertised, no public hearing was held. Three comments were received via email.

Fiscal impact of rule:

None.