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STATE OF MAINE
ONE HUNDR ED AND THIRTY-FIRST LEGISLATURE
COMMITTEE ON HEALTH AND HUMAN SERVICES

TO: Senator Margaret Rotundo, Senate Chair
Representative Melanie Sachs, House Chair
Joint Standing Committee on Appropriations and Financial Affairs

FROM: Senator Joseph Baldacci, Senate Chair Joseph Baldacci (SS)
Representative Michele Meyer, House Chair Michele Meyer (SS)
Joint Standing Committee on Health and Human Services

DATE: March 10, 2023

SUBJECT: LD 258, An Act Making Unified Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of State Government and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2023, June 30, 2024 and June 30, 2025

The Health and Human Services Committee is pleased to provide its recommendations on LD 258, the biennial budget bill. Pursuant to Joint Rule 304, the Joint Standing Committee on Health and Human Services met to review the biennial budget initiatives pertaining to the agencies under our jurisdiction.

Committee votes on the initiatives proposed in the budget are included in the attached Green Sheet and votes on language sections are included in the attached Purple Sheet. The committee also voted unanimously to submit two additional initiatives for consideration, both of which are described below. Additionally, the committee unanimously voted on two minor additions and corrections, also described below. Finally, the Democratic and Republican members have included separate narratives and proposed initiatives, which are also provided in this report-back.

All members of the Health and Human Services Committee were present for the votes or registered their votes in a timely fashion.

Unanimous suggested amendments

1. The Committee voted unanimously to appropriate $167,539 of General Fund in SFY 2024 and $287,210 of General Fund in SFY 2025 to 0143 – Maine Center for Disease Control and Prevention for the school oral health program. This annualizes the funding that was part of PL 2021 c. 635 through the biennium so that going forward the baseline

for the program will meet the goal of providing preventive oral health services to all schools in the State by January 1, 2025. **Total General Fund Impact for the Biennium is $454,750**

2. The Committee voted unanimously to appropriate an additional $81,000 annually, beginning in SFY 2024, to 0663 – Maine Hospice Council. **Total General Fund Impact for the Biennium is $162,000.**

Unanimous items with minor additions and corrections to the proposed initiatives

1. Line 535 of the Green Document allocates Other Special Revenue Funds to 0143 - Maine Center for Disease Control and Prevention and Line 536 deallocates Other Special Revenue Funds from Z199 – Office of Substance Abuse and Mental Health Services. The intent is to transfer the Gambling Addiction Prevention and Treatment Fund to the proper functional location. This will require an additional piece of language to actually transfer the funds between the accounts. The Committee voted unanimously to suggest that the Appropriations and Financial Affairs Committee include the following language:

   "Transfer from Gambling Addiction Prevention and Treatment Other Special Revenue Funds to the proper functional location. Notwithstanding any provision of law to the contrary, on or before July 31, 2023, the State Controller shall transfer all funds from the Office of Substance Abuse and Mental Health Services Gambling Addiction Prevention and Treatment Other Special Revenue Funds to the Maine Center for Disease Control and Prevention Gambling Addiction Prevention and Treatment Other Special Revenue Funds."

2. The Committee heard from the Department during the public hearing that Line 535 of the Green Document is allocated to the wrong fund. It is federal funds, but it should be in the 013 – Federal Expenditures Fund instead of the 025 – Federal Expenditures ARP. The Committee voted unanimously to suggest this change be made by Appropriations and Financial Affairs Committee.

Democratic Committee Member Recommendations (Majority Report)

The Democratic members of the committee strongly support the Governor's proposed biennial budget, and voted unanimously to support the inclusion of each proposed budget initiative and language part, with the sole exception of the language proposed under part VV. In addition, the Democratic members of the committee support the inclusion of a number of additional initiatives related to issues of particularly pressing concern to the state and its citizens.

Opposition to Language Part VV

The only proposed initiative or language part the Democratic committee members voted against recommending for inclusion in the budget was Part VV, which proposes adding language in the General Assistance program that caps temporary housing assistance provided through a hotel or motel at the federal per diem rates and limits temporary housing assistance to a maximum of 30 days for individuals who are not connected to appropriate services. While the Democratic members of the committee understand the fiscal pressures that General Assistance has placed on some municipalities, the members are concerned that the proposed limitation would leave

homeless individuals and families with no viable options for housing and further disconnect them from social support services intended to promote long term stability.

Additional Funding for Nursing Facilities

The Democratic members of the committee unanimously support adding **$6 million** in General Funds in state fiscal year 2024-2025 to support nursing facilities. This is in addition to the funding provided by Line 434 on the Green Document. These funds and the federal match they generate will help nursing facilities continue their operations to serve the state's aging population.

Funding for Sexual Assault Services

The Democratic members of the committee unanimously support appropriating funding for sexual assault services, in the amount of **$1,230,000 in fiscal year 2023-2024 and $1,830,000 in fiscal year 2024-2025**. These amounts mirror those proposed in LD 566, An Act to Provide Funding for Sexual Assault Services.

Expanding MaineCare Eligibility to Mainers Ineligible because of Immigration Status

The Democratic members of the committee unanimously support expanding MaineCare eligibility to individuals aged 21 and older who are currently ineligible for MaineCare due to their immigration statuses, including people who lack legal immigration documentation and those with certain other ineligible immigration statuses. This proposal mirrors the language of LD 199, An Act to Improve the Health of Maine Residents by Removing Exclusions to the MaineCare Program.

Other Priorities

In addition to the specific initiatives proposed above, the Democratic members of the caucus wish to emphasize the importance of state investments related to a number of other issues, including the following:

- *Crisis Receiving Center in Kennebec County.* The Committee has been made aware of the increasingly difficult situation faced by Mainers who experience a psychiatric crisis in Kennebec County and lack a place to go for crisis services. Individuals in crisis who seek help at a Kennebec County hospital are reportedly unable to see a crisis worker in person. In Portland, a model of care referred to as the Living Room Crisis Center has been successful in reducing emergency room visits by and law enforcement intervention with individuals in psychiatric crisis and has provided those with urgent mental health needs with a welcoming place to seek help. The Democratic members of the committee support this model and would like to see it replicated in other areas of the state, including Kennebec County.

- *Planned Parenthood and Maine Family Planning.* The Democratic members of the Committee strongly support targeted investments for the vital services provided by Planned Parenthood and Maine Family Planning, with the goal of compensating these providers for funding gaps resulting from delivery of uncompensated care.

- *Early Childhood Services and Head Start.* The Committee heard testimony during the public hearing from a variety of service providers concerned about the constraints and stressors on the system of care for our youngest Mainers. The Democratic members of the Committee support initiatives to strengthen and expand early childhood services, including childcare services, Head Start and other preschool programming, and medical and social support services for young children.

- *SNAP and Food Insecurity.* Beginning in April 2020, Mainers who receive Supplemental Nutrition Assistance Program (SNAP) benefits were eligible for emergency maximum allotments, resulting in an average SNAP allotment monthly increase of $109. These enhanced levels continued through February 2023. SNAP levels will be reduced to pre-pandemic allotment levels beginning this month, March 2023. Given the recent high levels of inflation and increase in food costs, the Democratic members of the committee are very concerned about the effect of the end of the emergency maximum SNAP allotments on food security. The Democratic members strongly support efforts by the Legislature to fill the gap left in SNAP recipients' monthly benefits.

- *OCFS Caseworkers.* The Committee heard testimony during the budget hearings from child services caseworkers, who expressed frustration over dangerous working conditions, poor compensation, unmanageable caseloads, and unattainable job expectations. The Democratic committee members support efforts by the legislature to improve the pay, status and working conditions of OCFS caseworkers, who are vital to the administration of a fair and efficient child protective system in the state.

Republican Committee Member Recommendations (Minority Report)

The Republican members of the committee offer the following additional information and explanation of the Republican committee members' votes on a number of initiatives in the Governor's proposed biennial budget.

As background, the Republican members of the committee state that the Republican caucus priorities for the state are: (1) the aging population, (2) the opioid crisis, and (3) child welfare services.

New Positions and Reclassifications or Reorganizations in the Budget

The majority of the divided reports on the Green Document relate to initiatives to create new positions or to make permanent temporary positions. Information provided by the Department of Administrative and Financial Services shows that there are 493 vacant positions in the Department of Health and Human Services. The proposal biennial budget requests the addition of 82 positions in SFY24 and 86 positions in SFY25. The Republican members of the committee recommend that the department uses the positions that are vacant and already approved and realign those to satisfy its greatest needs.

Four of the Republican members of the committee also voted against several lines in the budget related to approved or recommended reorganizations and reclassifications.

Four Republican members of the committee voted against several positions that continue or establish new positions with ARP funds, including Lines 548, 549 and 550 of the Green

Document. The four members argued that positions should not be funded with a temporary funding stream like ARP.

Early Childhood Consultation Program

Four Republican members of the committee voted against Line 79 of the Green Document. This line would have annualized the funding from PL 2021, c. 679 for the Early Childhood Consultation Program. The Republican members believe that additions to the baseline should align with the members' stated priorities and adding this line to the baseline does not align.

Multi-dimensional Family Therapy and Treatment Foster Care Oregon

Four Republican members of the committee voted against lines 121 and 122 of the green document. These lines would have funded contracts for two behavioral health programs for children, Multi-dimensional Family Therapy (line 121) and Treatment Foster Care Oregon (line 122). Information provided on the efficacy of these models was insufficient to allow the four members to support these programs. Concerns relate to the funding mechanism, programming, and success rates as expected in this State.

CHIP Expansion

Three Republican members of the committee voted against the initiative in Lines 345-347. The funding in these lines relate to CHIP – waiving premiums, expanding eligibility by increasing the FPL to 300%. The three Republican members oppose the expansion and therefore oppose the funding lines.

State-funded Medical Coverage of Federally Non-qualified Children

Public Law 2021, c. 398, part DDD expanded state-funded medical coverage to federally non-qualified children and Line 376 of the Green Document provides additional funding due to an increase in the number of children who qualify. The Republican members of the committee oppose the funding in Line 376. The Republican members of the committee do not support taxpayer coverage of this group and believe that nonprofit organizations should be responsible for medical costs for these individuals.

General Assistance

The Republican members of the committee oppose the initiatives for additional funding for General Assistance in Lines 468, 469 and 471 of the Green Document. The additional costs are primarily in Portland and are driven by housing needs of non-citizens and asylum seekers. Maine taxpayers should not be subsidizing the housing of non-citizens. The Republican members of the committee voted for the language in Part VV.

Additional Initiatives Recommended by the Majority Caucus

The Republican members of the committee are opposed to the initiatives recommended by the majority caucus for addition to the budget and give the following reasons:

- The Legislature and Executive has supported major increases to Nursing Facilities in the past. The additional funding lines proposed in the biennial budget were supported by the

committee unanimously. However, the Republican members of the committee oppose the initiative to recommend an additional $6 million in General Funds and do not believe it is warranted at this time.

- The Republican members of the committee oppose inserting LD 566 – funding for sexual assault services – into the budget. LD 566 is a bill that will be heard and voted during the session and likely to be supported.

- The Republican members of the committee oppose the addition of LD 199 into the budget. This bill is likely to have a fiscal note of approximately $7.2 million. The Republican members of the committee noted that Maine is the third highest taxed state and covering noncitizen medical care with state funds is an obligation that is not responsible.

Committee chairs and leads will be present for our report back to AFA on Monday, March 13. We are prepared to discuss this report with you. Thank you for your consideration.

cc: Health and Human Services Committee members
Commissioner Jeanne M. Lambrew, Department of Health and Human Services
Deputy Commissioner Benjamin Mann, Department of Health and Human Services
Molly Bogart, Government Relations Director, Department of Health and Human Services
Maureen Dawson, OFPR
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