

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Restore Community Support Services for Adults with Mental Illness

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 22 MRSA §3172, sub-§1-C is enacted to read:

1-C. Community support services. "Community support services" means rehabilitation services that promote a person's recovery and integration into the community and support the person in a living situation of that person's choice, including, but not limited to, community integration services, community rehabilitation services, intensive case management, daily living support services, skills development services, day support services, wellness recovery planning, trauma recovery, behavior therapy and interpreter services.

Sec. 2. 22 MRSA §3174-FF, sub-§2, as enacted by PL 2003, c. 673, Pt. MMM, §1, is amended to read:

2. Rules. The department shall adopt rules to implement MaineCare Basic in accordance with this section. Rules Except as provided in subsection 3, paragraph C-1, rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 3. 22 MRSA §3174-FF, sub-§3, ¶C-1 is enacted to read:

C-1. A member is eligible for community support services in accordance with rules adopted by the department. Rules adopted pursuant to this paragraph are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 4. Rules. The Department of Health and Human Services shall amend its rules governing eligibility for members of the MaineCare program to receive community support services under the Maine Revised Statutes, Title 22, section 3174-FF, subsection 3, paragraph C-1 that include all MaineCare members who were previously eligible for community support services under the department's rules in effect on February 1, 2016. Pursuant to Title 22, section 3174-FF, subsection 3, paragraph C-1, these rules are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A and must be provisionally adopted by the department and submitted to the Legislature no later than January 1, 2018.

SUMMARY

This bill restores access to services for persons with mental illness under Chapter 101: MaineCare Benefits Manual, Chapter II, Section 17 to those persons who were eligible for those services before the Department of Health and Human Services adopted new eligibility rules in 2016.