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Resolve, To Improve Access to Early and Periodic Screening, Diagnostic and Treatment Services for Children from Birth to 8 Years of Age

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, research on early childhood emphasizes the importance of identifying child development challenges as early as possible and addressing the needs of young children from birth to 8 years of age to ensure their successful participation in early and lifelong learning; and

Whereas, data indicates that Maine ranks 50th in the nation for the rate of infants provided with early intervention services for developmental delays; and

Whereas, recent brain research has shown that it is essential to address child health and well-being issues as early as possible and to provide children with services they need to thrive in school; and

Whereas, the MaineCare program is underused for early and periodic screening, diagnostic and treatment services provided to eligible children; and

Whereas, there is a lack of information about the capacity of state or federally funded programs and services to serve the needs of Maine children from birth to 8 years of age that needs to be remedied as soon as possible; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1 The Department of Health and Human Services to convene a stakeholder group. Resolved: That the Department of Health and Human Services, in consultation with the Department of Education, shall convene the participants in the federally funded Developmental Systems Integration initiative to determine the capacity of the State to respond to its child find responsibilities as required under the federal Individuals with Disabilities Education Act and to provide early and periodic screening, diagnostic and treatment services, referred to in this resolve as "EPSDT services," to children from birth to 8 years of age, the gaps in services and the costs of addressing those gaps. The Department of Health and Human Services shall submit a report with the findings to the Joint Standing Committee on Health and Human Services. The report must include the following:

1. Data on the number, ages and geographic locations of children from birth to 8 years of age receiving EPSDT services;
2. The capacity of the State to ensure that all children from birth to 8 years of age who require EPSDT services are located and identified by child find and receive services;
3. Current levels of federal and state funding designated or available to support child find and EPSDT services for children from birth to 8 years of age;

4. Barriers that impede access to child find and EPSDT services;
5. Shortages of providers of child find and EPSDT services including a breakdown by county of those shortages and a breakdown by specific service;
6. An assessment of the comprehensive developmental screening for children from birth to 8 years of age in relation to the recommendations of the American Academy of Pediatrics;
7. An assessment of the deficits in comprehensive developmental screening; and
8. An estimate of the costs to address the shortages in child find and EPSDT services and any recommendations to ensure or expand services so that all children from birth to 8 years of age are adequately served regardless of health insurance status, age, geographic location or type of developmental delay or disability identified.

The department shall submit the report no later than December 30, 2019. The Joint Standing Committee on Health and Human Services may report out legislation relating to the subject matter of the report to the Second Regular Session of the 129th Legislature.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

SUMMARY

This emergency resolve requires the Department of Health and Human Services, in consultation with the Department of Education, to convene the participants of the federally funded Developmental Systems Integration initiative to determine the capacity of the State to provide child find and early and periodic screening, diagnostic and treatment services to children from birth to 8 years of age, the gaps in services and the costs of addressing those gaps. The report must be submitted to the Joint Standing Committee on Health and Human Services no later than December 30, 2019.