



130th MAINE LEGISLATURE

SECOND REGULAR SESSION-2022

Legislative Document

No. 1866

H.P. 1376

House of Representatives, January 5, 2022

An Act To Ensure Low-income Families and Children with Special Needs Can Access After-school Services

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative GRAMLICH of Old Orchard Beach.
Cosponsored by Senator BAILEY of York and
Representatives: CRAFTS of Newcastle, Speaker FECTEAU of Biddeford, HARNETT of Gardiner, MATHIESON of Kittery, McCREA of Fort Fairfield, PEBWORTH of Blue Hill, SACHS of Freeport, Senator: President JACKSON of Aroostook.

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

2 **Sec. 1. 22 MRSA §3174-III** is enacted to read:

3 **§3174-III. Coverage for after-school services**

4 The department shall reimburse under the MaineCare program for after-school services
5 for children enrolled in the MaineCare program as required in this section.

6 **1. After-school services.** The department shall reimburse for after-school services
7 provided to school-age children enrolled in the MaineCare program in the same manner as
8 services that are medically necessary to access education at school are reimbursed, whether
9 the after-school services are provided by a licensed child care provider, an after-school
10 program operated by a school district or a recreational program provided in the community,
11 including by a municipality.

12 **2. Services for children with disabilities.** If after-school services pursuant to
13 subsection 1 are provided to a child that has a disability, the department shall ensure that
14 the after-school services are appropriate to the child's need and that any additional staffing
15 necessary to provide after-school services to the child with a disability are reimbursed.

16 **3. Eligibility for child care subsidies.** A child eligible for MaineCare services under
17 this section is also eligible for child care subsidies as provided under chapter 1052-A. Child
18 care subsidies may be used to access after-school services whether the program is provided
19 by a licensed child care provider, an after-school program operated by a school district or
20 a recreational program provided in the community, including by a municipality.

21 **4. Rulemaking.** The department may adopt rules to implement this section. Rules
22 adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter
23 375, subchapter 2-A.

24 **SUMMARY**

25 This bill requires the Department of Health and Human Services to reimburse for after-
26 school services to children enrolled in the MaineCare program. The department must
27 reimburse for after-school services, whether the services are provided by a licensed child
28 care provider, an after-school program operated by a school district or a community
29 recreational program, in the same manner as services that are medically necessary to access
30 education at school are reimbursed. If services are provided to a child with a disability in
31 an after-school program, the department must ensure that the services are appropriate to
32 the child's need and any additional staffing necessary to provide those services must also
33 be reimbursed. The bill provides that a child eligible for MaineCare services is also eligible
34 for child care subsidies and those subsidies may be used for after-school services whether
35 the provider is a licensed child care provider, an after-school program operated by a school
36 district or a community recreational program.