



# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 808

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S.P. 253

In Senate, March 2, 2017

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

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

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Secretary of the Senate

Presented by Senator BELLOWS of Kennebec.  
Cosponsored by Representative GATTINE of Westbrook and  
Senators: CHIPMAN of Cumberland, CYRWAY of Kennebec, KATZ of Kennebec,  
SAVIELLO of Franklin, Representatives: BICKFORD of Auburn, CHACE of Durham,  
McCREIGHT of Harpswell, VACHON of Scarborough.

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

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

3 **1-C. Community support services.** "Community support services" means  
4 rehabilitation services that promote a person's recovery and integration into the  
5 community and support the person in a living situation of that person's choice, including,  
6 but not limited to, community integration services, community rehabilitation services,  
7 intensive case management, daily living support services, skills development services,  
8 day support services, wellness recovery planning, trauma recovery, behavior therapy and  
9 interpreter services.

10 **Sec. 2. 22 MRSA §3174-FF, sub-§2,** as enacted by PL 2003, c. 673, Pt. MMM,  
11 §1, is amended to read:

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

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

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

20 **Sec. 4. Rules.** The Department of Health and Human Services shall amend its rules  
21 governing eligibility for members of the MaineCare program to receive community  
22 support services under the Maine Revised Statutes, Title 22, section 3174-FF, subsection  
23 3, paragraph C-1 that include all MaineCare members who were previously eligible for  
24 community support services under the department's rules in effect on February 1, 2016.  
25 Pursuant to Title 22, section 3174-FF, subsection 3, paragraph C-1, these rules are major  
26 substantive rules as defined in Title 5, chapter 375, subchapter 2-A and must be  
27 provisionally adopted by the department and submitted to the Legislature no later than  
28 January 1, 2018.

29 **SUMMARY**

30 This bill restores access to services for persons with mental illness under Chapter  
31 101: MaineCare Benefits Manual, Chapter II, Section 17 to those persons who were  
32 eligible for those services before the Department of Health and Human Services adopted  
33 new eligibility rules in 2016.