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Date: (Filing No. H- )

**HEALTH AND HUMAN SERVICES**

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
131ST LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1337, L.D. 2078, “An Act to Increase Participation by the Department of Health and Human Services Regarding Federal Benefits for Which Children in the Custody of the Department Are Eligible”

Amend the bill by striking out the title and substituting the following:

**'An Act to Increase Participation by the Department of Health and Human Services Regarding Federal Benefits for Which Children in the Custody of the Department May Be Eligible'**

Amend the bill in the emergency preamble in the 2nd paragraph in the 2nd line (page 1, line 4 in L.D.) by striking out the following: "are" and inserting the following: 'may be'

Amend the bill in section 1 in §4069 in subsection 1 by striking out all of paragraph A (page 1, lines 18 and 19 in L.D.) and inserting the following:

'A. "Federal benefit" means a benefit administered by the United States Department of Veterans Affairs or by the United States Social Security Administration under Title II of the United States Social Security Act.'

Amend the bill in section 1 in §4069 by striking out all of subsection 2 (page 1, lines 22 to 26 in L.D.) and inserting the following:

'2. Determination of potential eligibility. The department shall review whether a child in the custody of the department may be eligible for a federal benefit. If the department determines the child may be eligible for a federal benefit, the department shall apply for the federal benefit on behalf of the child. The department shall notify the child, the child's attorney or guardian ad litem and the child's parents or legal guardians of the application for the federal benefit.'

Amend the bill by inserting after section 1 the following:

**'Sec. 2. Appropriations and allocations.** The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

**COMMITTEE AMENDMENT**

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**IV-E Foster Care/Adoption Assistance 0137**

Initiative: Provides funding required to offset expenditures previously paid with a child's federal benefits.

<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
All Other	\$0	\$306,818
<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$306,818</u>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2023-24</b>	<b>2024-25</b>
All Other	\$0	\$388,377
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$0</u>	<u>\$388,377</u>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2023-24</b>	<b>2024-25</b>
All Other	\$0	\$81,559
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>\$81,559</u>

**IV-E Foster Care/Adoption Assistance 0137**

Initiative: Provides one-time funding for required technology changes.

<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
All Other	\$0	\$150,000
<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$150,000</u>

**Office of Child and Family Services - Central 0307**

Initiative: Provides funding for 2 Management Analyst II positions to handle the requirements of this legislation.

<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
POSITIONS - LEGISLATIVE COUNT	0.000	2.000
Personal Services	\$0	\$156,359
All Other	\$0	\$10,329
<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$166,688</u>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2023-24</b>	<b>2024-25</b>
Personal Services	\$0	\$41,564
All Other	\$0	\$4,705
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>\$46,269</u>

**Purchased Social Services 0228**

Initiative: Provides funding to contract for a fiscal agent and attorney to manage the special-needs trust and for financial literacy training, beginning January 1, 2025.

1	<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
2	All Other	\$0	\$625,094
3			
4	<b>GENERAL FUND TOTAL</b>	\$0	\$625,094
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6	<b>HEALTH AND HUMAN SERVICES,</b>		
7	<b>DEPARTMENT OF</b>		
8	<b>DEPARTMENT TOTALS</b>	<b>2023-24</b>	<b>2024-25</b>
9			
10	<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$1,248,600</b>
11	<b>FEDERAL EXPENDITURES FUND</b>	<b>\$0</b>	<b>\$388,377</b>
12	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$127,828</b>
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14	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$1,764,805</b>

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16           Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
 17 number to read consecutively.

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**SUMMARY**

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This amendment makes the following changes to the bill.

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1. It specifies that federal benefits administered by the United States Social Security Administration are those under Title II of the United States Social Security Act and does not include supplemental security income benefits under Title XVI of the United States Social Security Act.

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2. It clarifies that the Department of Health and Human Services does not determine whether a child in the custody of the department is eligible for a federal benefit, as this determination is made by the Federal Government. Instead, the amendment requires that the department review whether a child may be eligible and, for a child that may be eligible, apply for the federal benefit on the child's behalf.

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The amendment also adds an appropriations and allocations section.

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**FISCAL NOTE REQUIRED**

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(See attached)