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April 7, 2025

Senator Henry Ingwersen, Chair
Representative Michele Meyer, Chair
Members, Joint Standing Committee on Health and Human Services
100 State House Station
Augusta, ME 04333-0100

Re: LD 1178 - *An Act to Expedite the Process Involving Municipalities That Illegally Move a Person to Avoid Responsibility for General Assistance Support*

Senator Ingwersen, Representative Meyer, and Members of the Joint Standing Committee on Health and Human Services, this letter is to provide information in opposition to LD 1178, *An Act to Expedite the Process Involving Municipalities That Illegally Move a Person to Avoid Responsibility for General Assistance Support*.

This bill decreases the duration of time (from 30 days to 15 days) that the Department has to determine whether a municipality has illegally moved an applicant in order to avoid financial responsibility and equally reduces the period of time within which the Department must conduct an administrative hearing upon appeal request. It requires the liable municipality to be audited by the Department and to reimburse the Department for those costs. The liable municipality would also be required to pay an interest penalty to the municipality which has incurred expenses and, for any municipality with repeat violations within a 12-month period, to be enacted a \$10,000 fine. This bill also enacts a presumption that any person moved in apparent violation of this section was done so deliberately and in order to avoid financial responsibility.

The Department opposes this bill due to the negative impact it would have on municipalities that are accused of moving clients to avoid financial responsibility. Prior to the Department having the ability to conduct a thorough investigation, it would require a presumption that a municipality is automatically and immediately at fault. Current statute at 22 M.R.S. §4307 requires that in situations where responsibility is disputed, the financially responsible municipality must reimburse costs at a rate twice the amount of the assistance that was issued. If enacted, this bill would also require that the municipality pay up to a \$10,000 fine, interest costs, and fees associated with a required Department review.

The Department has authority under 22 M.R.S. §4323 to determine, based on circumstances, severity, and risk of repeated violation, whether to conduct a formal review of a municipality or Tribe following complaints. In addition, the Department currently tracks requests that are received about “municipality of responsibility” through the GA hotline, which is available to municipalities by phone or email. Questions regarding municipality of responsibility only accounted for 132 requests, or 2% of the total GA hotline requests for calendar year 2024. Many of these requests were for

guidance regarding municipality of responsibility, and not actual disputes between towns. Only three requests were not resolved immediately and none of these three cases required escalation to a formal review to be resolved. The number of actual complaints received by the Department is often significantly less than the public discussion around municipality of responsibility concerns in the GA program. The Department encourages municipalities to submit GA hotline requests whenever there is a municipality of responsibility concern and believes that the current process allows the Department to quickly resolve these issues in collaboration with the municipalities involved, or through existing enforcement mechanisms when necessary.

In conclusion, this bill requires the Department to conduct a formal audit for each related complaint, decreases the duration of time the Department has to conduct this thorough review, and lessens the duration of time the Department has to conduct an administrative hearing. These changes would disrupt scheduled reviews and trainings, putting additional strain on Department resources, without providing a significant change in the outcome from the limited number of municipality of responsibility concerns that are reported to, and addressed by, the Department each year. For these reasons, the Department opposes LD 1178.

We wanted you to be aware of the above information as you consider this bill going forward. If you have any further questions during your deliberation of this bill, please feel free to contact me or the Department's Government Relations Director, Abby Stivers.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ian Yaffe", with a horizontal line extending from the end.

Ian Yaffe, Director
Office for Family Independence
Maine Department of Health and Human Services