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5/15/2025

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

Re: LD 1728 – *An Act to Establish the Maine Child Care Affordability Program Advisory Board*

Senator Ingwersen, Representative Meyer and members of the Joint Standing Committee on Health and Human Services:

Thank you for the opportunity to provide information in opposition to LD 1728, *An Act to Establish the Maine Child Care Affordability Program Advisory Board*.

LD 1728 would establish an advisory board for the Child Care Affordability Program (CCAP) to advise on program changes. The board would include a legislator, a staff person from OCFS, a representative of child care providers, and two individuals with expertise in child care services. The board would meet quarterly and would be required to submit an annual report to HHS on its activities and recommendations. The advisory board would be tasked with assisting OCFS in planning for the financial sustainability of the program with a report due 1/2/26. LD 1728 would also require OCFS to amend the CCAP rules to add child care employees to the list of prioritized individuals on the CCAP waitlist and includes \$3.8 million to “clear the current waiting list”.

While OCFS appreciates the intention behind this bill, we are concerned with the intended role of the proposed advisory board. Much of the way in which CCAP operates is directed by requirements set forth by the federal government through the grant that funds the majority of the program’s operations. Other components of the program are based on state purchasing/financial rules and those can be difficult to navigate for individuals unfamiliar with the process. CCAP operations are governed by the CCAP rules promulgated by OCFS and any interested party can provide input and feedback on those rules as they are proposed through the rulemaking process.

OCFS is also concerned about the change in this bill to prioritize child care providers on the waitlist. This portion of the bill is the driving force behind the fiscal estimate for this bill as this change would require an update to the Baxter Child Care Information System that will go live this month. Furthermore, the existing prioritization categories for the waitlist (as set forth in the CCAP rules) are intended to ensure that those children who are most vulnerable can access child care services to the greatest extent possible. This includes children who are homeless and those who have special needs. OCFS is aware that access to child care for individuals working in child care setting can be a critical barrier to overcome, but OCFS does not believe this justifies the dilution of the priority of vulnerable children. OCFS also sees this as a potentially “slippery

slope” to prioritizing other professional groups for CCAP based on future workforce needs.

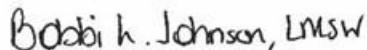
This bill also includes a one-time fiscal allocation of \$3.8 million. Unfortunately, this amount would not be adequate to clear the current waiting list. Approximately \$2 million in additional funding would be required to clear the current waiting list and that would not account for new families who may apply and qualify for the program at a rate that outpaces the rate of families leaving the program when it is found they are no longer eligible at their annual redetermination.

This bill also tasks OCFS with developing a plan regarding the necessary level of funding to serve all families who qualify for CCAP. OCFS has already been tasked with a similar study in the last legislative session (22 MRSA §3740-C) and is currently completing this work with the Center for Early Learning Funding Equity (CELFE). OCFS anticipates the report of this work will be finalized later this year.

OCFS would urge the Committee to consider the significant efforts already underway to improve the accessibility and affordability of high quality child care in Maine, some of which already address the concerns LD 1728 is seeking to address

Please feel free to contact me if you have any questions during your deliberation of this bill.

Sincerely,

A handwritten signature in dark ink that reads "Bobbi L. Johnson, LMSW". The signature is written in a cursive, slightly slanted style.

Bobbi L. Johnson, LMSW
Director
Office of Child and Family Services
Maine Department of Health and Human Services