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Testimony of the Office of Children and Family Services  
Maine Department of Health and Human Services

Before the Joint Standing Committee on Health and Human Services

In support of LD 2154, *An Act to Make Corrections and Updates to the  
Laws Affecting Children and Families*

Sponsor: Representative Meyer  
Hearing Date: January 25, 2024

Senator Baldacci, Representative Meyer, and Members of the Joint Standing committee on Health and Human Services, my name is Bobbi Johnson, and I serve as the Director of the Office of Children and Family Services (OCFS) in the Department of Health and Human Services. I am here today to testify in support of LD 2154, *An Act to Make Corrections and Updates to the Laws Affecting Children and Families*.

This bill, proposed by OCFS, makes three substantive changes to Title 22. First, it removes the requirement of an annual redetermination for adoption assistance. Second, it modifies the statutory language around rules for the First 4 ME Early Care and Education pilot from mandatory to permissive. Finally, the bill enacts statutory authority for OCFS' Children's Licensing Division to issue temporary licenses for providers that need to relocate due to emergency circumstances or for situations where a new provider needs to be established due to emergency circumstances, as well as providing a statutory definition of emergency circumstances.

OCFS is proposing removing the requirement of an annual redetermination for adoption assistance as the practice of conducting these redeterminations was ended in late 2022 after OCFS received legal guidance from the federal government that such redeterminations were precluded under federal law. The change proposed in LD 2154 would align state law with federal law by removing this language from statute.

First 4 ME is currently a pilot project which includes a comprehensive evaluation of the pilot's operations and impact. OCFS proposed this change as we believe the need for promulgated rules should be determined after implementation of the pilot and completion of the evaluation. Rulemaking prior to that point is not necessary and will create unnecessary delays. Perhaps more importantly, rulemaking now is unlikely to fully align with the ultimate recommendations from the program that will result from the pilot. This change will allow the Department to implement the pilot more efficiently.

OCFS is seeking to amend the law regarding licensing of child care providers to clarify and expand the allowance for temporary licensure of child care programs. Currently statute allows for temporary licenses only when a provider moves to a new location. LD 2154 includes the same language about a provider moving locations but would also allow for an emergency license for a new provider seeking to open a program in response to emergency circumstances that include natural disasters, unsafe environmental conditions, pandemic, or unplanned closure of another provider. Over the last few years with the pandemic, it's become clear that authority such as this to address emergency closures can provide additional tools in our toolbox to support families and businesses during unexpected events.

Thank you for your time and attention. I would be happy to answer any questions you may have and to make myself available for questions at the work session.