

LD 794

**Draft For Review by HCIFS Committee to Replace Concept Draft
Proposed by Sponsor, Sen. Sanborn**

**PROPOSED DRAFT COMMITTEE AMENDMENT REPLACING CONCEPT DRAFT:
LD 794, An Act To Maintain Maine's System of Therapeutic Foster Care for Children through the
Creation of a Nonprofit Risk Indemnification Trust**

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

**Resolve, Directing the Department of Health and Human Services to Determine the Risk
Indemnification Needs of Therapeutic Foster Care Agencies in the State**

Amend the bill by striking out everything after the title and inserting in its place the following:

Sec. 1. Risk Indemnification Needs of Therapeutic Foster Care Agencies. Resolved: That the Department of Health and Human Services shall determine the risk indemnification needs of therapeutic foster care agencies in the State by surveying state-contracted providers of therapeutic foster care about their liability insurance coverage, any difficulties in obtaining and maintaining liability insurance coverage and the factors related to those difficulties. The department shall also survey other states that contract with therapeutic foster care agencies about how risk indemnification needs are addressed for those agencies and identify potential recommendations to address the risk indemnification needs of therapeutic foster care agencies in this State.

Sec. 2. Report. Resolved: That, by February 15, 2023, the Department of Health and Human Services shall submit a report, including potential recommendations legislation, based on the surveys and evaluation required in section 1 to the Joint Standing Committee on Health and Human Services. The Joint Standing Committee on Health and Human Services is authorized to submit legislation related to the report to the First Regular Session of the 131th Legislature.

SUMMARY

This amendment replaces the bill, which was printed as a concept draft pursuant to Joint Rule 208, with a resolve.

The amendment directs the Department of Health and Human Services to determine the risk indemnification needs of therapeutic foster care agencies in the State by surveying state-contracted providers of therapeutic foster care about their liability insurance coverage, any difficulties in obtaining and maintaining liability insurance coverage and the factors related to those difficulties. The amendment also directs the department to survey other states that contract with therapeutic foster care agencies and identify potential recommendations to address the risk indemnification needs of therapeutic foster care agencies. The department is required to submit the results of the survey of therapeutic foster care agencies and other states, along with potential recommendations, to the Joint Standing Committee on Health and Human Services no later than February 15, 2023. The Joint Standing Committee on Health and Human Services is the Joint Standing Committee on Health and Human Services is authorized to submit legislation related to the report to the First Regular Session of the 131th Legislature.