

## OFFICE OF POLICY AND LEGAL ANALYSIS

Date: March 7, 2022  
To: Joint Standing Committee on Health & Human Services  
From: Anna Broome, Legislative Analyst

### **LD 393 An Act To Amend the Laws Regarding Health and Human Services**

**SUMMARY:** This bill is a concept draft. Sponsor amendment to replace the concept (emergency):

1. Provides \$1m each year for additional services under the Homebuilders program.
2. Provides \$1m each year for additional services under the Parents as Teachers program operated through the home visiting program.
3. Provides \$420,000 to increase the contract for kinship navigators.
4. Requires DHHS to study the ability of the state to allow a parent of a minor child removed from the home but engaged in reunification activities to continue to receive services prior to the child being removed, and to receive priority for waitlisted services necessary for transitioning out of the child protective system. Services include transportation, child care, housing assistance, home visiting, housing vouchers and behavioral health services. The department shall submit a report to the HHS committee no later than February 1, 2023.
5. Provides \$200,000 each year in the Child Protective Services Contingency Fund. A summary of the uses of the Contingency Fund is included in the annual report on child welfare submitted to the health and human services committee.
6. Provides funding for one full time position in the Department of Health and Human Services, Commissioner's Office to coordinate the organization of the child welfare system across state departments. (See below for new language)
7. Requires the Recovery Fund Council, established in the memorandum of understanding regarding the use of opioid settlement funds, to expedite resources to expand medication assisted treatment in rural areas of the state and through federally qualified health centers to ensure that families involved in the child protective system are able to access treatment. It also requires the Council to expedite the development of peer recovery centers in every county in the state.

## **ISSUES FROM TESTIMONY:**

- Sponsor, cosponsors, and proponents: proposals are focused on strengthening and stabilizing families, to prevent abuse and neglect, and to reduce the need for child protective intervention.
- Adoptive & Foster Families of Maine (AFFM): In 2021, received about 490 kinship family referrals from OCFS, and connected with about 350 families not involved with the formal child welfare system; supported a total of 844 kinship families in 2021. Staff of 4 serving an average of 70 new families every month.
- MCT: responsibility for the home visiting program since 2010 and home to the Parents as Teachers state office. This year, Maine Families is about to enroll families referred for prevention services that have open cases with CPS. Parents as Teachers is not a behavioral health program.
- MCA: precedent for leadership position within DHHS to oversee child welfare activities during periods of reform – from 1999-2011, the Director of Special Projects worked for the commissioner and director of OCFS to support the design and implementation of the previous Child Welfare Strategic Reform Plan. Consider waivers keep basic needs programs.

## **DRAFTING ISSUES:**

- The header for the funding initiatives for Homebuilders and Parents as Teachers is incorrect – not specifically behavioral health. However, if the committee moves forward with the amendment, all the headers will go away (they are just there for organizational purposes).

## **UPDATED LANGUAGE FROM SPONSOR:**

- Replacement language for the department coordinator initiative:

Initiative: Provides funding for one full time position in the Department of Health and Human Services, Commissioner's office to coordinate the organization of child abuse and neglect prevention initiatives across the department.

**Sec. 3. Department of Health and Human Services Director of Special Projects to Prevent Child Abuse and Neglect.** The Director of Special Projects to Prevent Child Abuse and Neglect within the Department of Health and Human Services shall coordinate the organization of efforts within the department and across state agencies to prevent and reduce the incidence of child abuse and neglect. The Director shall be responsible for leading the development, implementation, and oversight of a comprehensive statewide child abuse and neglect prevention plan. This position will support the coordination of resources and activities across state agencies to strengthen and support families and reduce the likelihood of child abuse and neglect; work with community-based efforts to coordinate initiatives, programs, and activities that prevent child abuse and neglect; and foster understanding, appreciation, and knowledge of diverse populations across state agencies and in the community in order to effectively prevent and treat child abuse and neglect across diverse racial, economic, and geographic populations. This position will engage with multiple stakeholders including state agency leaders, the OCFS and CDC Directors, the Associate Director of Child Welfare, child welfare district managers and caseworkers, community service providers, parents, kinship and resource families, and youth. Additional duties and assignments for this position will be based on the development and progression of the cross-agency statewide prevention plan, and priorities of the Commissioner related to the prevention of child abuse and neglect.

#### **ADDITIONAL INFORMATION REQUESTED BY COMMITTEE:**

- Waitlist for home visiting program? Pam LaHaye: There is a waitlist in Southern Maine – 63 families. Also at 90% capacity due to vacancies and work force challenges. (Maine Families is the name of the state’s home visiting program and Maine Families uses Parents As Teachers as its evidence-based model.)
- For all the child protective bills – any information available about the history of child protective reforms; gaps in the system.
  - Sent to DHHS and MCA.
  - From MCA: 2009 report about the last round of reforms: Casey Foundation report: [Fixing a Broken System](#). Some programs from the last round of reforms:
    - Wraparound Maine
    - Intensive Family Reunification
    - "Community Based Initiatives" – Community Partnerships for Protecting Children and Parents as Partners are a few examples

**FISCAL IMPACT:** Not yet received from OFPR.