

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND TWENTY-THREE

H.P. 571 - L.D. 915

Resolve, to Establish the Blue Ribbon Commission to Study the Organization of and Service Delivery by the Department of Health and Human Services

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this legislation establishes the Blue Ribbon Commission to Study the Organization of and Service Delivery by the Department of Health and Human Services; and

Whereas, this legislation must take effect before the expiration of the 90-day period so that the commission may timely meet and make its report to the Legislature; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Commission established. Resolved: That the Blue Ribbon Commission to Study the Organization of and Service Delivery by the Department of Health and Human Services, referred to in this resolve as "the commission," is established.

Sec. 2. Commission membership. Resolved: That, notwithstanding Joint Rule 353, the commission consists of 13 members as follows:

1. Three members of the Senate appointed by the President of the Senate, including one member of the party holding the largest number of seats in the Legislature and one member of the party holding the 2nd largest number of seats in the Legislature;

2. Three members of the House of Representatives appointed by the Speaker of the House of Representatives, including one member of the party holding the largest number of seats in the Legislature and one member of the party holding the 2nd largest number of seats in the Legislature;

3. Two members appointed by the President of the Senate, one of whom must have lived experience in caring for one of the following types of individuals and one who

represents the interests of at least 2 of the following types of individuals or providers of care to at least 2 of the following types of individuals:

- A. Individuals with intellectual disabilities or autism;
- B. Individuals with mental health disorders or substance use disorder;
- C. Individuals experiencing poverty;
- D. Elderly individuals;
- E. Children receiving child welfare services; or
- F. Children receiving early childhood services;

4. Two members appointed by the Speaker of the House of Representatives, one of whom must have lived experience in caring for one of the following types of individuals and one who represents the interests of at least 2 of the following types of individuals or providers of care to at least 2 of the following types of individuals:

- A. Individuals with intellectual disabilities or autism;
- B. Individuals with mental health disorders or substance use disorder;
- C. Individuals experiencing poverty;
- D. Elderly individuals;
- E. Children receiving child welfare services; or
- F. Children receiving early childhood services;

5. The Commissioner of Health and Human Services or the commissioner's designee; and

6. Two directors of offices within the Department of Health and Human Services chosen by the commissioner.

Sec. 3. Chairs. Resolved: That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission.

Sec. 4. Appointments; convening of commission. Resolved: That, notwithstanding Joint Rule 353, all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the commission. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business.

Sec. 5. Duties. Resolved: That the commission shall examine the organizational structure of the Department of Health and Human Services and the services provided by the department. The commission shall examine:

1. The organizational structure of and service delivery by similar agencies in other states and in nongovernmental organizations;

2. The strengths and weaknesses in the services provided with state and federal funding;

3. Current proposals for improving the safety and well-being of children and strengthening families across all populations and geographical areas of the State;

4. Barriers to accessing services, as well as system failures and additional needed resources; and

5. Areas in which processes can be streamlined and efficiencies made within the department.

Sec. 6. Staff assistance. Resolved: That the Legislative Council shall provide necessary staffing services to the commission, except that Legislative Council staff support is not authorized when the Legislature is in regular or special session.

Sec. 7. Report. Resolved: That, no later than November 6, 2024, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the joint standing committee of the Legislature having jurisdiction over health and human services matters. The committee may submit legislation to the 132nd Legislature in 2025.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.