

**FY 2022-2023 Biennial Budget (LD 221) - HHS Committee Programs - Language Parts**

Line #	Program Area	Part	Summary	Part Notes	HHS Vote	AFA Vote
N/A	Elder Services	KK	<b>THIS IS JUD LANGUAGE</b> - This Part eliminates the requirement that a public guardian or public conservator furnish a bond. The Maine Supreme Judicial Court held in Perry v. Dean, 2017 ME 35, that the State, having not explicitly waived its sovereign immunity provided under the Maine Tort Claims Act, is immune to claims against the State for breach of fiduciary duty owed to the person subject to public guardianship or public conservatorship.	Line 236	NO VOTE REQUIRE D	
486	Nursing Facilities	LL	This Part updates the United States Department of Labor, Bureau of Labor Statistics Consumer Price Index to be used for cost-of-living adjustments from the medical care services index to the nursing and adult day care services index.			
487	DHHS Mgmt - Policy	MM	This Part accomplishes the following: 1. It changes the representatives that inspect establishments from the Office of MaineCare Services to the Division of Licensing and Certification. 2. It removes the requirement that the department conduct a single coordinated inspection of a facility dually licensed as a nursing home and an assisted housing facility. This requirement is not feasible as nursing facilities are inspected based on their federal certification requirements which varies year to year between 9 and 15 months and assisted housing licensure inspections are done every 2 years to coincide with the term of licensure.			
488	Public Health	NN	This Part removes the language which does not allow the transfer or otherwise repurpose of any funds appropriated or allocated for public health nurses and the services they provide.			
489	MaineCare Hospitals	OO	This Part updates the base year for the hospital tax.	Line 308-309		
490	Public Assistance	PP	This Part accomplishes the following: 1.It changes eligibility for transitional transportation to include families who are employed and have income less than 200% of the nonfarm income official poverty line. 2.It allows the department to use federal TANF block grant to support employed families who have transportation costs and have income less than 200% of the nonfarm income official poverty line. The department may use up to \$1.4 million annually in TANF block grant expenditures for these families.			
491	DHHS Mgmt -	QQ	This Part changes the frequency of life safety inspections from annual to prior to the issuance of the license which is every 2 years.			
492	DHHS Mgmt -	RR	This Part establishes a Senior Legal Advisor within the Department of Health and Human Services that is appointed by the commissioner and serves at the pleasure of the commissioner.	Lines 216-217		
493	MaineCare Other	SS	This Part contains transition provisions for the consolidation of General Fund programs from 13 to 4 in the Department of Health and Human Services, Office of MaineCare Services. Additionally, all existing contracts, agreements and compacts currently in effect in the Department of Health and Human Services continue in effect.	Lines 138-143 & 319-324		
494	Public Assistance	TT	This Part authorizes any unexpended balance in the Office for Family Independence – District program, General Fund account within the Department of Health and Human Services for the purpose of upgrades to the public assistance web portal be carried forward for use in the next fiscal year.			
495	Adult BH	UU	This Part authorizes the Department of Health and Human Services to transfer by financial order available Personal Services balances in the Disproportionate Share - Dorothea Dix Psychiatric Center program, the Disproportionate Share - Riverview Psychiatric Center program, the Riverview Psychiatric Center program and the Dorothea Dix Psychiatric Center program in order to provide flexibility in the payment of operational expenses.			
496	Adult BH	VV	This Part renames the Office of Substance Abuse and Mental Health Services within the Department of Health and Human Services to the Office of Behavioral Health.			
497	DHHS Mgmt - Policy	WW	This Part authorizes the Department of Health and Human Services to adopt emergency rules to implement any provisions of this Act over which it has specific authority that has not been addressed by some other Part of the Act without the necessity of demonstrating that immediate adoption is necessary to avoid a threat to public health, safety or welfare.			
498	Elder Services	XX	This Part authorizes the transfer of All Other balances from any account within the Department of Health and Human Services, excluding balances in the IV-E Foster Care/Adoption Assistance and State-funded Foster Care/Adoption Assistance programs, for the purpose of the information system modernization project in the Office of Aging and Disability Services.			

499	Children's Services	<b>YY</b>	This Part authorizes the Department of Health and Human Services to transfer appropriations within the Office of Child and Family Services related to the cost of administering the child welfare program.			
500	MaineCare Other	<b>ZZ</b>	This Part authorizes the Department of Health and Human Services to transfer available balances of appropriations between the MaineCare General Fund accounts for the 2022-2023 biennium.			
501	Public Assistance	<b>AAA</b>	This Part authorizes the Department of Health and Human Services to transfer available balances of Personal Services appropriations to All Other in the Office for Family Independence program and the Office of Family Independence – District program for the 2022-2023 biennium.			
502	DHHS Mgmt -	<b>BBB</b>	This Part lapses \$3,000,000 of the unencumbered balance forward of the Department of Health and Human Services, General Assistance – Reimbursement to Cities and Towns, General Fund account to the General Fund in fiscal year 2021-22.	Line 220		
503	DHHS Mgmt -	<b>CCC</b>	This Part lapses \$5,000,000 of the unencumbered balance forward of the Department of Health and Human Services, Temporary Assistance to Needy Families, General Fund account to the General Fund in fiscal year 2021-22.	Line 221		
504	DHHS Mgmt -	<b>DDD</b>	This Part lapses \$10,000,000 of the unencumbered balance forward of the Department of Health and Human Services, Additional Support for People in Retraining and Employment, General Fund account to the General Fund in fiscal year 2021-22.	Line 222		
505	DHHS Mgmt - Policy	<b>EEE</b>	This Part lapses \$60,000,000 of the unencumbered balance forward of the Department of Health and Human Services, Medical Care Services, General Fund account to the General Fund in fiscal year 2021-22.	Line 223 Assuming they meant "Medical Care - Payments to Providers, General Fund carrying account". This should be changed		