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**STATE OF MAINE
ONE HUNDRED AND THIRTIETH LEGISLATURE
COMMITTEE ON VETERANS AND LEGAL AFFAIRS**

MEMORANDUM

TO: Senator Catherine Breen, Senate Chair
Representative Teresa Pierce, House Chair
Joint Standing Committee on Appropriations and Financial Affairs

FROM: Senator Louie Luchini, Senate Chair LL (TS)
Representative Chris Caiazzo, House Chair CC (TS)
Joint Standing Committee on Veterans and Legal Affairs

DATE: May 25, 2021

SUBJECT: Recommendations on the Governor's change package to LD 221

After receiving briefings from the Department of Administrative and Financial Affairs, the Department of Defense, Veterans and Emergency Management and the Department of the Secretary of State, the Joint Standing Committee on Veterans and Legal Affairs met on May 21, 2021 to review the items in the Governor's proposed change package to LD 221 pertaining to the agencies under the committee's jurisdiction. The committee voted unanimously of those present to accept all of these initiatives as well as the language in Part RRR, except as described below.

In addition, the committee met on May 24, 2021 to discuss several additional items that, although not part of the Governor's change package, we strongly and unanimously urge the AFA committee to include in LD 221, which are also described below.

Department of Public Safety

The VLA Committee did not conduct a vote on the initiative that appears on page 180 of Part A of the change package, which increases allocations for the Gambling Control Board to align with revenue changes approved by the Revenue Forecast Committee in May 2021. The Department of Public Safety did not provide the committee with information regarding this initiative and, because the initiative aligns revenues with the updated revenue forecast, it does not appear to be discretionary in nature.

Department of the Secretary of State

With respect to the third initiative described on page 188 of Part A of the Governor's change package, which establishes one new Elections Coordinator position, of the 7 members voting, 6 members (Luchini, Caiazzo, McCreight, Tuttle, Rielly and Supica) recommended acceptance of this initiative while 1 member (Corey) did not recommend acceptance of this initiative. As you may recall, this committee unanimously (of those present, 11-0) recommended inclusion of this new position in our original biennial budget memo dated March 18, 2021. A majority of the committee continues to strongly support including this new position in LD 221, for all of the reasons set forth in that memo.

Department of Defense, Veterans and Emergency Management (DVEM)

The VLA Committee unanimously voted in favor of all of the initiatives that affect the Department of Defense, Veterans and Emergency Management that appear on pages 36-40 of Part A of the Governor's change package as well as Language Part RRR. We are especially grateful that the Governor's change package:

- Restores the part-time vacant Office Associate II position that was created by P.L. 2019, ch. 504, for the Veterans Homelessness Prevention Coordination program, and that was slated for elimination by reference #646 of the original biennial budget proposal.
- Removes the initiative in reference #651 of the original biennial budget proposal that would have eliminated the \$100,000 annual funding in each year of the biennium for the Veterans Homelessness Prevention Coordination program established by P.L. 2019, ch. 504 and instead adopts new initiatives (the final initiatives on both page 38 and page 39 and the single initiative on page 40) to ensure that, as is required by 37-B M.R.S. §513-A(3), the funds in the Veterans Homelessness Prevention Partnership Fund do not lapse.
- Restores funding for a temporary office staff position and two temporary groundskeeping staff positions at the veterans cemeteries in Caribou and Augusta.

New Initiatives for the Maine Bureau of Veterans Services

In addition to taking votes on the portions of the change package affecting the Department of Defense, Veterans and Emergency Management, the VLA Committee also voted unanimously of those present (10-0) to strongly urge the AFA Committee to consider including two new initiatives in LD 221 that will affect services provided by the Maine Bureau of Veterans' Services. These initiatives are represented by the unanimous committee amendments to:

- LD 658, *An Act To Provide Funding for 2 Veteran Service Officers in the Maine Bureau of Veterans' Services*. As originally drafted, this bill would have provided funding for 3 Veteran Service Officers (VSOs). After careful consideration, the committee unanimously (13-0) voted in favor of an amended version of the bill that provides for 2 additional VSOs, whom the bureau has indicated will likely serve as homeless veterans' coordinators in Portland and Bangor. In this role, the VSOs will conduct outreach and connect veterans experiencing homelessness with critical supports and services, including by assisting these veterans in accessing health care and other benefits from the federal Veterans Administration as well as state benefits including the Veterans Homelessness Prevention Coordination Program and temporary, emergency financial assistance under 37-B M.R.S. §505(1-C). At the public hearing on LD 658, the Director of the Bureau testified: "Over the past few years, the monthly rate of veteran homelessness in Maine has hovered around 100 veterans. This

past year, that number has jumped to over 180. The effects of the pandemic have caused the spike, further stressing an already sparse housing stock.” Given the economic downturn and this dramatic increase in the number of identified veterans experiencing homelessness in the State, we believe that it is critical to expand the number of VSOs who conduct outreach to this vulnerable population. A copy of the committee amendment to LD 658 is attached for your review.

- LD 693, *An Act To Make the Pilot Program Providing Mental Health Case Management Services to Veterans a Permanent Program*. This pilot project provided community integration services to eligible veterans with a mental health diagnosis or mental health disability rating from the U.S. Department of Veterans Affairs or who were determined to require mental health care services by a licensed mental health professional, with a priority placed on veterans being discharged from inpatient psychiatric facilities, uninsured or underinsured veterans, and veterans with Maine Care coverage. From April 2018 through September 2019, the pilot project successfully served 210 veterans across the State through two contracted providers, who conducted comprehensive biopsychosocial evaluations and connected veterans with mental health, housing, employment and other targeted community-based services the veterans were determined to need. These services were provided by the two contracted providers at **average costs of only \$1,421 and \$1,617 per veteran**. A copy of the May 2021 presentation from Director Jessica Pollard of the Office of Behavioral Health and Director David Richmond from the Maine Bureau of Veterans’ Services, which details the exciting results of the pilot project, is available here: <https://legislature.maine.gov/testimony/resources/VLA20210322@DHHS132610809429287360.pdf>. Our committee unanimously (13-0) voted to make this pilot project permanent and strongly recommends that the AFA Committee consider adding an initiative to LD 221 to achieve that goal. A copy of LD 693, and the unanimous committee amendment, is attached for your review.

Thank you for inviting and for considering our input on the Governor’s change package to LD 221. We are available to answer any questions that you may have.

cc: (via email) Members, Joint Standing Committee on Veterans and Legal Affairs
Maureen Dawson, Principal Analyst, OFPR
Michael Russo, Legislative Analyst, OFPR
Suzanne Voynik, Legislative Analyst, OFPR

Notes of votes during 5/21/21
Work Session

VLA Portions of
Governor's 5/14/21 Change
Package

Please AMEND Part A, Section 1 of LD 221 as follows:

Administrative and Financial Services, Department of

Please delete the following as follows:

ADULT USE MARIJUANA REGULATORY COORDINATION FUND Z264

2021-22 2022-23

Initiative: Provides funding to align allocations with projected available resources.

OTHER SPECIAL REVENUE FUNDS

All Other

350,000 350,000

Total 350,000 350,000

PC Motion - IN
JT seconded

Vote IN: LL, CC, JM, JT, MK, LS, BW, PC
OUT: NONE
absent: CH, BF, MK, MH, JD

(8-0) IN

Please ADD the following to Part A, Section 1 of LD 221 as follows:

Administrative and Financial Services, Department of

New - fix error

ADULT USE MARIJUANA REGULATORY COORDINATION FUND Z264

2021-22 2022-23

Initiative: Eliminates 3 temporary positions erroneously included in the baseline for the Governor's Recommended Budget as permanent positions and subsequently enacted in Public Law 2021, chapter 29.

GENERAL FUND

Positions - LEGISLATIVE COUNT

Personal Services

	-3,000	-3,000
	(297,141)	(309,739)
Total	(297,141)	(309,739)

JT MOTION IN
JM Seconded

VOTE IN: LL, CC, JM, JT, MR, LS, BW, PC
OUT: NONE
absent: CH, BF, MK, MH, JD

8-0 IN

Please ADD the following to Part A, Section 1 of LD 221 as follows:

Administrative and Financial Services, Department of

New - fix error

ALCOHOLIC BEVERAGES - GENERAL OPERATION 0016

2021-22

2022-23

Initiative: Reduces funding in the cost of good sold account to correct for an erroneous baseline increase enacted in PL 2021, chapter 29.

ALCOHOLIC BEVERAGE FUND
All Other

	(135,862,763)	(135,862,763)
Total	(135,862,763)	(135,862,763)

PC Motion IN
JT seconded

Vote

IN: LL, CC, JM, JT, MK, LS, BW, PC
OUT: NONE
absent: CH, BF, MH, MK, JD

8-0 IN

Please AMEND Part A, Section 1 of LD 221 as follows:

Defense, Veterans and Emergency Management, Department of

Please delete the following as follows:

MILITARY TRAINING & OPERATIONS 0108

2021-22

2022-23

Initiative: Provides funding for the approved range change of 6 Military Firefighter Supervisor positions from range 17 to range 19 and 3 Assistant Military Fire Chief positions from range 19 to range 21.

FEDERAL EXPENDITURES FUND

Personal Services

74,490

74,489

Total

74,490

74,489

JT Motion IN
JM seconded

Vote IN : LL, CC, JM, JT, MR, LS, BW, PC
OUT : NONE
absent : CH, BF, MK, MH, JD

8-0 IN

Please ADD the following to Part A, Section 1 of LD 221 as follows:

Defense, Veterans and Emergency Management, Department of

New initiative

MILITARY TRAINING & OPERATIONS 0108

See also Language Part RRR

2021-22 2022-23

Initiative: Provides one-time funding for the State's share of maintenance, repair, capital improvement, modernization and energy efficiency projects for Maine Army and Air National Guard readiness centers and support facilities.

FEDERAL EXPENDITURES FUND

All Other

	3,600,000	4,000,000
Total	3,600,000	4,000,000

OTHER SPECIAL REVENUE FUNDS

All Other

	2,000,000	4,800,000
Total	2,000,000	4,800,000

LL Motion IN →
JM Seconded

Both items above and Language Part "RRR"

IN: LL, CC, JM, JT, MR, LS, BW, PC

Out: NONE

absent: CH, BF, MK, MH, JD

8-0 IN

Amend LD 221 by adding the following Part:

PART RRR

Sec. RRR-1. Transfer to the Department of Defense, Veterans, and Emergency Management, Maintenance and Repairs to Armories. Notwithstanding any other provision of law to the contrary, on or before June 30, 2021, the State Controller shall transfer \$5,515,000 from the unappropriated surplus of the General Fund to the Department of Defense, Veterans, and Emergency Management, Maintenance and Repairs to Armories, Other Special Revenue Fund account for the purpose of funding the State's share of maintenance, repair, capital improvement, modernization and energy efficiency projects for Maine Army and Air National Guard readiness centers and support facilities

Sec. RRR-2. Transfer to the Department of Defense, Veterans, and Emergency Management, Air Guard SRM Maintenance and Repairs. Notwithstanding any other provision of law to the contrary, on or before June 30, 2021, the State Controller shall transfer \$1,285,000 from the unappropriated surplus of the General Fund to the Department of Defense, Veterans, and Emergency Management, Air Guard SRM Maintenance and Repairs, Other Special Revenue Fund account for the purpose of the funding the State's share of maintenance, repair, capital improvement, modernization and energy efficiency projects for Maine Army and Air National Guard readiness centers and support facilities.

**PART RRR
SUMMARY**

This Part transfers \$6,800,000 to the Department of Defense, Veterans, and Emergency Management to provide funding for the State's share of maintenance, repair, capital improvement, modernization and energy efficiency projects for Maine Army and Air National Guard readiness centers and support facilities.

Please AMEND Part A, Section 1 of LD 221 as follows:

Defense, Veterans and Emergency Management, Department of

Please delete the following as follows:

VETERANS SERVICES 0110		2021-22	2022-23
Initiative: Eliminates one part-time vacant Office Associate II position.			
GENERAL FUND			
Positions - LEGISLATIVE COUNT	JM Motion IN	-0.500	-0.500
Personal Services	JT Secended	(36,247)	(37,991)
	8-0 IN		
	VOTE IN: LL, CC, JM, JT, MR, LS, BW, PC OUT: NONE absent: CH, BF, MK, MH, JD		
	Total	(36,247)	(37,991)
		2021-22	2022-23
Initiative: Eliminates All Other funding for one temporary office staff position and reduces two temporary groundskeeping staff position hours and dates of service for the Caribou and Augusta office within the same program.			
GENERAL FUND			
All Other	JM Motion IN	(36,625)	(45,367)
	JT Secended		
	7-0 IN		
	VOTE IN: LL, CC, JM, JT, PC, BW, LS OUT: NONE absent: CH, BF, MK, MR, MH, JD		
	Total	(36,625)	(45,367)
		2021-22	2022-23
Initiative: Reduces All Other funding one-time in the Veterans Services program, General Fund.			
GENERAL FUND			
All Other		(100,000)	(100,000)
	Total	(100,000)	(100,000)

JM Motion IN - this initiative
 - 3RP initiative page 39
 JT Secend - and Initiative page 40

IN: LL, CC, JM, JT, BW, PC, LS
 OUT: NONE
 absent: CH, BF, MR, MK, MH, JD

7-0 IN

Please ADD the following to Part A, Section 1 of LD 221 as follows:

Defense, Veterans and Emergency Management, Department of

New initiatives

VETERANS SERVICES 0110

	2021-22	2022-23
Initiative: Continues one full-time Public Service Coordinator I position and one 60-hour bi-weekly Office Specialist I position established by financial order and provides funding for related All Other costs.		
FEDERAL EXPENDITURES FUND		
Positions - LEGISLATIVE COUNT	2,000	2,000
Personal Services	125,537	131,814
All Other	52,566	47,500
	Total	Total
	178,103	179,314
	2021-22	2022-23

8-0 IN

JT Motion IN
JM seconded

Vote: IN: LL, CC, JM, JT, MK, LS, BW, PC
OUT: NONE
absent: CH, BF, MK, MH, JD

Initiative: Provides funding for Veterans' Cemetery mowing contract, gravestone placement services, and facility and infrastructure sustainment.		
GENERAL FUND		
All Other	100,000	100,000
	Total	Total
	100,000	100,000
	2021-22	2022-23

8-0 IN

JT Motion IN
JM seconded

Vote IN: LL, CA, JM, JT, MR, LS, BW, PC
OUT: NONE
absent: CH, BF, MK, MH, JD

Initiative: Reduces funding in the Veterans Services program, General Fund and increases funding in the Veterans' Homelessness Prevention Partnership Fund program, General Fund. Funds in the Veterans' Homelessness Prevention Partnership Fund program, General Fund may not lapse, but must be carried forward from year to year to be used for the same purpose. See also next page		
GENERAL FUND		
All Other	(100,000)	(100,000)
	Total	Total
	(100,000)	(100,000)

Voted with 3rd initiative
on page 38

7-0 IN

Please ADD the following to Part A, Section 1 of LD 221 as follows:

Defense, Veterans and Emergency Management, Department of

VETERANS' HOMELESSNESS PREVENTION PARTNERSHIP FUND Z298

2021-22 2022-23

Initiative: Reduces funding in the Veterans Services program, General Fund and increases funding in the Veterans' Homelessness Prevention Partnership Fund program, General Fund. Funds in the Veterans' Homelessness Prevention Partnership Fund program, General Fund may not lapse, but must be carried forward from year to year to be used for the same purpose.

See prior page

GENERAL FUND

All Other

100,000 100,000

Total 100,000 100,000

*Voted with 3rd initiative
on page 38*

7-0 IN

Please ADD the following to Part A, Section 1 of LD 221 as follows:

Public Safety, Department of

New - Adjustment to baseline

GAMBLING CONTROL BOARD Z002		
	2021-22	2022-23
Initiative: Increases allocation to align with revenue changes approved by the Revenue Forecast Committee in May 2021 for fiscal years ending June 30, 2022 and June 20, 2023.		
OTHER SPECIAL REVENUE FUNDS		
All Other	152,617	260,863
Total	152,617	260,863

No vote taken

Please ADD the following to Part A, Section 1 of LD 221 as follows:

Secretary of State, Department of the

New initiatives

BUREAU OF ADMINISTRATIVE SERVICES AND CORPORATIONS 0692

2021-22 2022-23

Initiative: Provides funding for the approved reorganization of one Public Service Manager I position to a Public Service Manager II position.

GENERAL FUND
Personal Services

JT Motion IN → this and next initiative together
JM Secended

8-0 IN

vote IN : JM, JT, CC, P, LL, BW, MR, LS

out : NONE

absent : CH, BF, MK, MH, JD

	8,729	13,328
Total	8,729	13,328

2021-22 2022-23

Initiative: Provides funding for the approved reorganization of one Corporations and Elections Program Specialist position to a Public Service Manager I position.

GENERAL FUND
Personal Services

voted with above initiative 8-0 IN

	7,210	11,555
Total	7,210	11,555

2021-22 2022-23

Initiative: Establishes one Elections Coordinator position and provides funding for related All Other costs.

GENERAL FUND
Positions - LEGISLATIVE COUNT
Personal Services
All Other

JT Motion IN
CC Secended

6-1 IN

Vote IN : LL, CC, JM, JT, MR, LS

OUT : PC

absent : CH, BF, MK, MH, JD, BW

	1,000	1,000
	82,553	86,395
	16,411	2,389
Total	99,964	88,784

2021-22 2022-23

Initiative: Provides one-time funding for operating support to promote, carry out, and coordinate programs designed to improve opportunities for women in the State.

OTHER SPECIAL REVENUE FUNDS
All Other

Not voted → SLG Committee

	50,000	50,000
Total	50,000	50,000

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Date:

(Filing No. H-)

VETERANS AND LEGAL AFFAIRS

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 485, L.D. 658, “An Act To Provide Funding for 3 Veterans Services Officers in the Maine Bureau of Veterans' Services”

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

'An Act To Provide Funding for 2 Veteran Service Officers in the Maine Bureau of Veterans' Services'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. Appropriations and allocations. The following appropriations and allocations are made.

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Veterans Services 0110

Initiative: Provides funding for 2 Veteran Service Officer positions and related costs.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$114,416	\$152,554
All Other	\$6,090	\$8,120
GENERAL FUND TOTAL	\$120,506	\$160,674

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

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SUMMARY

This amendment, which is the unanimous report of the committee, replaces the language of the bill with funding for 2 veteran service officer positions and related costs.

FISCAL NOTE REQUIRED

(See attached)

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Date: (Filing No. H-)

VETERANS AND LEGAL AFFAIRS

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 505, L.D. 693, “An Act To Make the Pilot Program Providing Mental Health Case Management Services to Veterans a Permanent Program”

Amend the bill by striking out all of section 1 and inserting the following:

'Sec. 1. 22 MRSA §1833 is enacted to read:

§1833. Referral of veterans

1. Screening. A hospital licensed under this chapter shall screen all patients presenting for emergency care at the hospital's emergency department regarding whether or not the patient has prior service in the military. This information must be added to the hospital's patient data management system.

2. Referral. If a patient presenting for emergency care at the emergency department of a hospital licensed under this chapter identifies as having prior service in the military under subsection 1, the hospital shall, at a minimum, provide the patient with the following information and document the provision of this information in the hospital's patient data management system:

A. Contact information for the Department of Defense, Veterans and Emergency Management, Maine Bureau of Veterans' Services. The hospital shall inform the patient that the bureau may be able to assist the patient with accessing state and federal veterans benefits; and

B. A copy of a benefits and resource guide for veterans seeking emergency care made available on the publicly accessible website of the Department of Defense, Veterans and Emergency Management, Maine Bureau of Veterans' Services.'

Amend the bill in section 2 in sub-c. 7 in §3911 in subsection 2 in the last line (page 2, line 32 in L.D.) by inserting after the following: "required." the following: "Contracted providers shall, at a minimum, connect each individual referred to the provider for case management services with a veteran service officer at the bureau, who shall assist the

1 individual in accessing the state and federal veterans benefits to which the individual may
2 be entitled.'

3 Amend the bill in section 2 in sub-c. 7 in §3911 in subsection 3 in the 2nd line (page
4 2, line 34 in L.D.) by inserting after the following: "or" the following: 'who has served or'

5 Amend the bill in section 2 in sub-c. 7 in §3912 in the first indented paragraph in the
6 3rd, 4th and 5th lines (page 3, lines 23 to 25 in L.D.) by striking out the following: "for the
7 purposes of reimbursing hospitals for the costs of screening and data collection conducted
8 pursuant to Title 22, section 1833, subsection 6 and"

9 Amend the bill by inserting after section 2 the following:

10 '**Sec. 3. Appropriations and allocations.** The following appropriations and
11 allocations are made.

12 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**
13 **Veterans Mental Health Case Management and Services Fund Z261**

14 Initiative: Appropriates funds for provider contracts to provide case management services.

15 GENERAL FUND	2021-22	2022-23
16 All Other	\$366,430	\$366,430
17		
18 GENERAL FUND TOTAL	\$366,430	\$366,430

19 '
20 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
21 number to read consecutively.

22 **SUMMARY**

23 This amendment strikes and replaces the bill's hospital data collection and reporting
24 requirements with requirements that, at a minimum, hospitals provide each emergency
25 room patient whom the hospital identifies as having prior service in the military with
26 contact information for the Department of Defense, Veterans and Emergency Management,
27 Maine Bureau of Veterans' Services and a copy of a benefits and resource guide produced
28 by the bureau for veterans seeking emergency care. Hospitals must inform each such
29 patient that the bureau may be able to assist the patient with accessing state and federal
30 veterans benefits. The amendment also clarifies that an individual who served in the Maine
31 Army National Guard or Air National Guard, but who was not called to active military
32 service, is eligible for the mental health case management services program established in
33 the bill.

34 **FISCAL NOTE REQUIRED**
35 **(See attached)**



130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 693

H.P. 505

House of Representatives, March 4, 2021

**An Act To Make the Pilot Program Providing Mental Health Case
Management Services to Veterans a Permanent Program**

(EMERGENCY)

Received by the Clerk of the House on March 2, 2021. Referred to the Committee on Veterans and Legal Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative ROBERTS of South Berwick.
Cosponsored by Representatives: CAIAZZO of Scarborough, Speaker FECTEAU of Biddeford, McCREIGHT of Harpswell, PIERCE of Falmouth, RIELLY of Westbrook, WHITE of Waterville, Senators: President JACKSON of Aroostook, LUCHINI of Hancock.

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

3 **Whereas,** this legislation makes permanent the pilot program to provide case
4 management services to veterans for mental health care established by Resolve 2017,
5 chapter 24; and

6 **Whereas,** this legislation must take effect before the expiration of the 90-day period
7 to ensure continued case management services are provided without interruption after the
8 pilot program ends; and

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

13 **Be it enacted by the People of the State of Maine as follows:**

14 **Sec. 1. 22 MRSA §1833** is enacted to read:

15 **§1833. Mental health care services for veterans**

16 **1. Screening.** A hospital licensed under this chapter shall screen all patients presenting
17 for emergency care at the hospital's emergency department regarding whether or not the
18 patient has prior service in the military. This information must be added to the hospital's
19 patient data management system.

20 **2. Reporting.** A hospital licensed under this chapter shall compile data regarding the
21 number of patients who identify as having prior service in the military who reported or
22 presented a behavioral or mental health emergency when seeking care from the hospital
23 emergency department, including the number who were admitted or referred for inpatient
24 treatment for psychiatric care. The data collected in accordance with this subsection may
25 not include information that would disclose the identity of the patient. A hospital licensed
26 under this chapter shall report the data to the department twice per year, for the period from
27 January 1st to June 30th and for the period from July 1st to December 31st. The department
28 shall establish the date by which the data for each period must be reported.

29 **3. Waiver.** The department may grant a waiver of the screening and data collection
30 requirements under subsections 1 and 2 to a hospital that demonstrates that the
31 requirements constitute an excessive burden that will substantially affect the operation of
32 the hospital. The department may not grant a waiver under this subsection to more than 4
33 hospitals.

34 **4. Certain hospitals.** If a report submitted to the department pursuant to Resolve
35 2017, chapter 24, Part A, section 2 or pursuant to subsection 2 shows that a hospital
36 identifies 95% or more of the patients who presented for emergency care as having prior
37 service in the military by the fact that they are enrolled and receive health care benefits
38 from the United States Department of Veterans Affairs, the hospital is no longer required
39 to screen patients and collect data as required by this section.

40 **5. Annual department report.** The department shall work with the Department of
41 Defense, Veterans and Emergency Management, Maine Bureau of Veterans' Services to
42 analyze the data submitted by hospitals in accordance with subsection 2 to quantify the

1 unmet need for mental health care services, particularly inpatient mental health care
2 services, and to identify gaps in mental health care services provided by the United States
3 Department of Veterans Affairs. The department and the bureau shall submit a report on
4 the analysis to the joint standing committee of the Legislature having jurisdiction over
5 veterans affairs no later than February 1st annually.

6 **6. Costs mitigated.** The department shall distribute an annual stipend from the
7 Veterans Mental Health Case Management and Services Fund under Title 34-B, section
8 3912 to each hospital that screened for military service and collected data in accordance
9 with subsections 1 and 2. The department shall adopt routine technical rules in accordance
10 with Title 5, chapter 375, subchapter 2-A to set the amount of the annual stipend.

11 **Sec. 2. 34-B MRSA c. 3, sub-c. 7** is enacted to read:

12 **SUBCHAPTER 7**

13 **MENTAL HEALTH CASE MANAGEMENT SERVICES FOR VETERANS**

14 **§3911. Mental health case management services for veterans**

15 The department shall provide contracted case management services to provide
16 necessary mental health treatment to veterans who are residents of the State. Case
17 management services must include assisting veterans in accessing a range of mental and
18 behavioral health services, which must include inpatient mental health care services as
19 clinically required. The department, with the assistance of the Department of Defense,
20 Veterans and Emergency Management, Maine Bureau of Veterans' Services, referred to in
21 this subchapter as "the bureau," shall identify regions of the State where case management
22 services are most needed and identify veterans seeking case management services who are
23 enrolled with the United States Department of Veterans Affairs and those who would likely
24 be eligible to be enrolled.

25 **1. Coordination.** The department, with the assistance of the bureau, shall seek to
26 coordinate services with the United States Department of Veterans Affairs and state
27 agencies that offer mental health care services or provide assistance to veterans.

28 **2. Regional contracts.** The department may enter into regional contracts, including a
29 contract with a provider that has experience providing services in the northern part of the
30 State, for the purpose of ensuring a statewide network of case management that provides
31 coordinated mental health care services for veterans living in the State, including, but not
32 limited to, inpatient treatment as clinically required.

33 **3. Eligibility.** An individual who served in the Armed Forces of the United States and
34 meets the definition of "veteran" under 38 Code of Federal Regulations, Section 3.1 or is
35 currently serving in the Maine Army National Guard or Air National Guard or the Reserves
36 of the Armed Forces of the United States is eligible to receive services under this
37 subchapter. The character of a veteran's discharge from service is not a disqualifying
38 eligibility criterion to receive services under this subchapter. A veteran who has received
39 a mental health diagnosis or mental health disability rating from the United States
40 Department of Veterans Affairs is eligible to receive services under this subchapter. A
41 veteran who is not enrolled with the United States Department of Veterans Affairs who is
42 determined to require mental health care services by a licensed mental health professional

1 may be considered eligible for case management and other behavioral health services under
2 this subchapter based on the individual needs of the veteran. The department, with the
3 assistance of the bureau, shall establish criteria to determine eligibility for case
4 management services to be provided under this subchapter.

5 **4. Enrollment.** The bureau shall work to assist veterans receiving case management
6 services under this subchapter who are not enrolled with the United States Department of
7 Veterans Affairs to determine eligibility and to assist with those veterans' enrollment and
8 with filing claims to the United States Department of Veterans Affairs.

9 **5. Cultural competency.** Case management and mental health professionals selected
10 to provide services pursuant to this subchapter must demonstrate familiarity with military
11 and veteran culture.

12 **6. Data collection.** All veterans receiving case management and mental health
13 services under this subchapter must be accounted for in department and bureau data
14 collections.

15 **7. Department report.** The department, in consultation with the bureau, shall prepare
16 a written report of the services provided under this subchapter and make any
17 recommendations regarding its provision of services under this subchapter to the joint
18 standing committee of the Legislature having jurisdiction over veterans affairs by February
19 1st annually.

20 **§3912. Veterans Mental Health Case Management and Services Fund**

21 The Veterans Mental Health Case Management and Services Fund, referred to in this
22 section as "the fund," is established as a dedicated, nonlapsing Other Special Revenue
23 Funds account in the department. The fund is administered by the department for the
24 purposes of reimbursing hospitals for the costs of screening and data collection conducted
25 pursuant to Title 22, section 1833, subsection 6 and to support the provision of case
26 management services for veterans under this subchapter.

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

29 **SUMMARY**

30 This bill makes permanent the pilot program to provide case management services to
31 veterans for mental health care established by Resolve 2017, chapter 24.