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Legislative Document

No. 1356

H.P. 978

House of Representatives, March 21, 2019

Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapters II and III, Section 40: Home Health Services, a Late-filed Major Substantive Rule of the Department of Health and Human Services

(EMERGENCY)

Reported by Representative HYMANSON of York for the Department of Health and Human Services pursuant to the Maine Revised Statutes, Title 5, section 8072 and approved for introduction by a majority of the Legislative Council.

Reference to the Committee on Health and Human Services suggested and ordered printed pursuant to Joint Rule 218.

ROBERT B. HUNT Clerk

R(+ B. Hunt

1 2	Emergency preamble. Whereas, acts and resolves of the Legislature do no become effective until 90 days after adjournment unless enacted as emergencies; and
3 4 5	Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A required legislative authorization before major substantive agency rules may be finally adopted by the agency; and
6 7	Whereas, a major substantive rule has been submitted to the Legislature outside the legislative rule acceptance period; and
8 9	Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and
10 11 12 13	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
14 15 16 17 18	Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 101 MaineCare Benefits Manual, Chapters II and III, Section 40: Home Health Services, a provisionally adopted major substantive rule of the Department of Health and Humar Services that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A outside the legislative rule acceptance period, is authorized.
20 21	Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.
22	SUMMARY
23 24 25 26	This resolve provides for legislative review of portions of Chapter 101: MaineCare Benefits Manual, Chapters II and III, Section 40: Home Health Services, a major substantive rule of the Department of Health and Human Services that was filed outside the legislative rule acceptance period.