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STATE OF MAINE
SENATE
129TH LEGISLATURE
FIRST REGULAR SESSION

SENATE AMENDMENT " " to COMMITTEE AMENDMENT "A" to S.P. 287, L.D. 997, Bill, "An Act To Promote Social and Emotional Learning and Development for Young Children"

Amend the amendment by striking out everything after the title and inserting the following:

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

'Sec. 1. 34-B MRSA c. 15, sub-c. 2 is enacted to read:

SUBCHAPTER 2

EARLY CHILDHOOD CONSULTATION PROGRAM

§15011. Statewide voluntary early childhood consultation program

Beginning September 1, 2020, the commissioner shall implement a statewide voluntary early childhood consultation program to provide support, guidance and training to improve the abilities and skills of early care and education teachers and providers working in public elementary schools, child care facilities as defined in Title 22, section 8301-A, subsection 1-A, paragraph B, family child care settings and Head Start programs serving infants and children who are 8 years of age or younger who are experiencing challenging behaviors that put the infants or children at risk of learning difficulties and removal from early learning and education settings, and to improve the abilities and skills of families and foster parents with infants or children who are 8 years of age or younger in the home who are experiencing challenging behaviors that put the infants or children at risk of learning difficulties and removal from early learning and education settings. Any record about a child created as a result of a consultation under this section must be made available to the parents or guardians of that child and may not become part of that child's education record. Fifty percent of the costs related to the program implemented under this section must be paid from funds provided to the department under the federal child and development block grant authorized under the federal Child Care and Development Block Grant Act of 1990.

1 **Sec. 2. Maine Revised Statutes headnote enacted; revision clause.** In the
2 Maine Revised Statutes, Title 34-B, chapter 15, after the chapter headnote, the headnote
3 "subchapter 1, children's mental health program" is enacted and the Revisor of Statutes
4 shall implement this revision when updating, publishing or republishing the statutes.

5 **Sec. 3. Early childhood consultation program.** By September 1, 2020, the
6 Department of Health and Human Services shall develop, establish and implement an
7 early childhood consultation program under the Maine Revised Statutes, Title 34-B,
8 chapter 15, subchapter 2, referred to in this section as "the program," to enable trained
9 consultants with expertise in the areas of early childhood development and mental health
10 to work on-site with early care and education teachers and providers working with
11 children to aid them in the use of low-cost or no-cost evidence-based strategies that
12 reduce challenging behaviors in children and promote social-emotional growth; to
13 provide guidance to parents about effective ways to address their children's behavioral
14 difficulties; and to connect children and families to programs, resources and supports that
15 will assist them in their development and success, while addressing barriers to accessing
16 these resources and supports. The department shall design the program in consultation
17 with the national Center of Excellence for Infant and Early Childhood Mental Health
18 Consultation, a project funded by the United States Department of Health and Human
19 Services, Substance Abuse and Mental Health Services Administration, the Children's
20 Cabinet established in Title 5, chapter 439 and key stakeholders in the State, including
21 mental health professionals delivering mental health consultation within the State. In
22 developing the program, the department shall:

23 1. Develop standards and guidelines to ensure that the program is implemented with
24 primary consideration given to the core elements of evidence-based services as adapted
25 for the State's unique rural character. The guidelines must include effective strengths-
26 based strategies and plans that support children's success across learning environments.
27 The standards must include knowledge of research-informed infant and early childhood
28 mental health practices, family circumstances that affect children's behavior and mental
29 health, developmental science and milestones, mental health, trauma-informed
30 approaches, adverse childhood experiences, sensory processing issues, poverty, disability
31 and community supports, resources and services available to a child and the child's family
32 to alleviate family stress;

33 2. Explore enhancing cross-sector professional development capacity in the State
34 through partnerships with entities such as the national Center of Excellence for Infant and
35 Early Childhood Mental Health Consultation;

36 3. Develop and implement a plan for consultants to provide individualized on-site
37 coaching as requested by teachers, caregivers and families. The plan may include
38 professional development in the form of group training and communities of practice that
39 include professionals, such as home visitors or child welfare staff, who work with young
40 children and families. The plan must reinforce and extend the supports provided by early
41 childhood mental health consultants to people providing professional development in
42 early childhood and public school settings;

43 4. Develop a system for collecting and analyzing implementation data and selected
44 outcomes to identify areas for improvement, promote accountability and provide
45 continuous quality improvement and service delivery to improve child outcomes by

1 providing feedback, including feedback from department staff and community
2 consultation staff. Data collected must include specific data related to age, gender, race
3 and disability;

4 5. Develop and implement a plan for establishing, training and certifying a roster of
5 community-based qualified mental health consultants with the specialized knowledge,
6 skills and experience to effectively coach families, teachers, providers and program
7 directors to promote a child's social and emotional health and reduce challenging
8 behaviors. Early childhood consultants must be mental health professionals licensed
9 under the Maine Revised Statutes, Title 32, section 3831, subsection 2; section 7053,
10 subsection 1, paragraph A; or section 13858, subsection 2 or 3. The training must include
11 training related to the following: trauma; adverse childhood experiences; resilience;
12 trauma-informed practices; child development from birth to 8 years of age including
13 appropriate developmental and behavioral expectations; effects of substance use; sensory
14 processing issues; needs of children with disabilities, including special education law; the
15 State's child protection and foster care system; other disciplines such as occupational
16 therapy, speech therapy, physical therapy and mental health therapy; and public and
17 private supports and services, including the Women, Infants and Children Special
18 Supplemental Food Program of the federal Child Nutrition Act of 1966; the Child
19 Development Services System under Title 20-A, section 7209; the divisions within the
20 Department of Health and Human Services concerned with children's behavioral health
21 services; case management; and entitlement programs. Consultants must also receive
22 training that is regionally appropriate to understand the programs, resources and supports
23 in their region or community in order to link children, families and professionals to them.
24 The training must also include training in cultural competence to ensure consultants
25 understand the needs of the ethnically diverse communities they may be serving and how
26 to form relationships to provide the unique services needed to support those populations;

27 6. Develop and implement a plan for supervision of early childhood consultation and
28 outreach staff that includes administrative, clinical and reflective supervision; and

29 7. Develop and implement a plan in conjunction with staff from the Child
30 Development Services System under the Maine Revised Statutes, Title 20-A, section
31 7209 for how early childhood consultants can support children, families and staff who
32 intersect with the Child Development Services System, particularly as the plan relates to
33 children who are referred for behavior issues.

34 **Sec. 4. Early implementation.** The Department of Health and Human Services
35 shall provide support, guidance and training under the Maine Revised Statutes, Title
36 34-B, chapter 15, subchapter 2 in 5 locations prior to implementation of the statewide
37 voluntary early childhood consultation program in Title 34-B, chapter 15, subchapter 2.

38 **Sec. 5. Report.** The Department of Health and Human Services shall submit a
39 report by January 1, 2021 to the joint standing committee of the Legislature having
40 jurisdiction over health and human services matters regarding the status of the statewide
41 voluntary early childhood consultation program in the Maine Revised Statutes, Title
42 34-B, chapter 15, subchapter 2 and the program's ability to provide support and guidance
43 to families, early care and education teachers and providers working with children. The
44 joint standing committee may submit legislation related to the report to the First Regular
45 Session of the 130th Legislature.

SENATE AMENDMENT “ ” to COMMITTEE AMENDMENT “A” to S.P. 287, L.D. 997

1 Health and Human Services and makes other minor changes to reflect the change in
2 responsibility.

3 **FISCAL NOTE REQUIRED**

4
5 **(See attached)**
6

7 **SPONSORED BY:** _____

8 **(Senator BREEN)**

9 **COUNTY: Cumberland**