

## CHAPTER 1503

### PRIORITY SOCIAL SERVICES PROGRAM

#### §6105. Priority Social Services Program

There is established the "Priority Social Services Program." This program shall provide certain priority social services, with an emphasis placed on the development of human services in rural areas of Maine, to residents of the State by encouraging and assisting qualified community, regional and state level, private nonprofit and public nonstate government social agencies to develop greater capacity, to foster the development and provision of priority social services programs by entering into coordinated, cooperative agreements between the State of Maine and such agencies. The program shall begin effective July 1, 1973, except that prior to that date the Department of Health and Human Services is authorized to perform, within the limits of available funds, any and all actions necessary to initiate a properly administered program. [PL 1975, c. 293, §4 (AMD); PL 2003, c. 689, Pt. B, §6 (REV).]

#### SECTION HISTORY

P&SL 1973, c. 38, §B1 (NEW). P&SL 1975, c. 90, §§SEC.C,3 (AMD). PL 1975, c. 293, §4 (AMD). PL 2003, c. 689, §B6 (REV).

#### §6106. Office of Resource Development

**(REPEALED)**

#### SECTION HISTORY

P&SL 1973, c. 38, §B1 (NEW). PL 1973, c. 793, §14 (RP).

#### §6107. Powers and duties

**(REPEALED)**

#### SECTION HISTORY

P&SL 1973, c. 38, §B1 (NEW). PL 1973, c. 793, §14 (RP).

#### §6108. Administration of priority social services for Maine's elderly

The Department of Health and Human Services or its successors is designated as the organizational unit of State Government with sole responsibility for administrating, subject to the direction of the commissioner, so much of the Priority Social Services Program as relates directly to older people, such as, but not limited to, these types of social services: meals for older people, transportation for older people and health and home care needs for the elderly. [PL 2011, c. 657, Pt. BB, §12 (AMD).]

Regarding priority social services for older people, the department has the powers and duty to: [PL 2011, c. 657, Pt. BB, §12 (AMD).]

**1. Administer priority social services.** Administer priority social services in accordance with the intent, objectives and purposes of this Part and has, in any respects that relate to these priority social services, the powers and duties set forth in section 5310; and [PL 2011, c. 657, Pt. BB, §12 (AMD).]

**2. Action to ensure consistency of priority social services.** Prepare, adopt, amend, rescind and administer policies, priorities, procedures and rules. The department and the Department of Administrative and Financial Services, Bureau of Human Resources, respectively, shall take, pertaining to their own policies, priorities, procedures and rules, such action as is necessary to ensure that such items pertinent to priority social services are consistent. [PL 2011, c. 657, Pt. BB, §12 (AMD).]

**SECTION HISTORY**

P&SL 1973, c. 38, §B1 (NEW). P&SL 1973, c. 148, §B4 (AMD). PL 1973, c. 793, §16 (RPR). PL 1975, c. 293, §4 (AMD). PL 1977, c. 317, §1 (AMD). PL 1989, c. 329, §21 (AMD). PL 2003, c. 689, §B6 (REV). PL 2011, c. 657, Pt. BB, §12 (AMD).

**§6109. State agencies to cooperate****(REPEALED)****SECTION HISTORY**

P&SL 1973, c. 38, §B1 (NEW). PL 1973, c. 793, §14 (RP).

**§6110. Designation of priority social services**

The following types of social services are designated as priority social services for payment of expenditures from state funds appropriated to carry out the purposes of this chapter: [PL 1981, c. 608, §1 (AMD).]

Homemaker -- Health Aide Services; [PL 1975, c. 523, §1 (RPR).]

Developmental Day Care, including Family Day Care; [PL 1975, c. 523, §1 (RPR).]

Services for Persons with Intellectual Disabilities or Autism; [PL 2011, c. 542, Pt. A, §43 (AMD).]

Mental Health Services; [PL 1975, c. 523, §1 (RPR).]

Transportation Services; [PL 1975, c. 523, §1 (RPR).]

Meals for Older People; and [PL 1981, c. 608, §1 (AMD).]

Health and Home Care Needs for the Elderly. [PL 1977, c. 317, §2 (NEW).]

Any expenditure of funds for family day care shall not cause the amount which may be expended for developmental day care or any other type of service to decrease below the cumulative fiscal year to date amount expended as of April 1, 1975 for such developmental day care or such other type of service. [PL 1975, c. 523, §1 (RPR).]

**SECTION HISTORY**

P&SL 1973, c. 38, §B1 (NEW). PL 1975, c. 523, §1 (RPR). PL 1977, c. 317, §2 (AMD). PL 1981, c. 608, §1 (AMD). PL 2011, c. 542, Pt. A, §43 (AMD).

**§6111. Cost sharing of expenditures**

**1. Development of resources, cooperation and funding.** To encourage and assist development of more effective and more coordinated use of existing and new resources and interagency cooperation as well as combined, joint funding of social services; expenditures for priority social services shall be shared either by the beneficiary of each service to extent possible within the resources available to the beneficiary in accordance with subsection 2; or by the agency providing the social service; by available federal resources as discussed in subsection 3; or by the State of Maine in total amount not to exceed that specified in each agreement and in a proportion not to exceed the percent of expenditures for each type of service specified in subsection 4.

[P&SL 1975, c. 90, §C, §4 (RPR).]

**2. Fees for services.** Private, nonprofit and public agencies operating social services as authorized and funded in part under the Priority Social Services Program may charge fees or accept contributions to the agency for beneficiaries for actual provision of priority social services. Fee charges will be in accordance with a graduated fee scale. This scale shall not require charges to lower income beneficiaries.

The Department of Health and Human Services may establish and enforce adherence to a graduated fee scale that applies uniformly throughout the State of each type of service and based upon a resident's ability to pay. Social agencies making charges for priority social services shall do so in accordance with the graduated fee scale established by the department.

[PL 1975, c. 293, §4 (AMD); PL 2003, c. 689, Pt. B, §6 (REV).]

**3. Use of federal government resources.** State funds appropriated for priority social services may be used to match appropriate federal funds, except those appropriated under the Social Services Block Grant, to continue or expand priority programs under this chapter.

[PL 1981, c. 608, §2 (RPR).]

**4. Maximum state share of cost.** State funds appropriated for priority social services may be used to pay a portion of expenditures under each agreement for each type of social service in an amount not to exceed the maximum percentage for state funds of 100% of the total expenditures for each type of priority social service as specified below. One hundred percent funding must be available for not more than 2 years consecutively or in total. State funds appropriated for priority social services may be used to pay a portion of expenditures under each agreement for each type of social service in an amount not to exceed the maximum percentage for state funds of the total expenditures for each type of priority social service as specified below when programs have been funded for a total of 2 years, consecutively or in total. The maximum percentage of state funds of the total expenditures for each type of service may not exceed:

75% for homemaker service;

75% for developmental day care, including family day care;

75% for services for persons with intellectual disabilities or autism;

75% for meals for older people;

75% for mental health services;

75% for transportation services;

75% for health and home care needs for the elderly.

[PL 2011, c. 542, Pt. A, §44 (AMD).]

**5. Maximum use of nonstate resources.** State funds paying a portion only of expenditures for priority social services are valid only when "earned" or "matched" by expenditure of nonstate resources, which may be cash or in-kind. The expenditure of such resource must be in an amount at least equal to the minimum percentage for nonstate resources of the total expenditures for each type of priority social services as specified below. The minimum percentage for nonstate resources of the total expenditures for each type of service is:

25% for homemaker service;

25% for developmental day care, including family day care;

25% for services for persons with intellectual disabilities or autism;

25% for meals for older people;

25% for mental health services;

25% for transportation services;

25% for health and home care needs for the elderly.

Nonstate resources authorized to qualify to earn or match state funds include private funds such as gifts, grants, fees for service or contributions; in-kind resources that are actual out-of-pocket expenditures; or actual loss of revenue related directly and essentially as an integral part of the operation of a priority social service; and public revenues such as municipal taxes, a municipal or county amount of federal

revenue sharing funds, other appropriate federal resources and state revenue sharing funds and such other public resources as may be received by, generated by or available to a municipal or county government or other political subdivision or quasi-governmental bodies.

[PL 2011, c. 542, Pt. A, §45 (AMD).]

#### SECTION HISTORY

P&SL 1973, c. 38, §B1 (NEW). P&SL 1975, c. 90, §§SEC.C,4 (RPR). PL 1975, c. 293, §4 (AMD). PL 1975, c. 523, §2 (AMD). PL 1977, c. 317, §§3,4 (AMD). PL 1981, c. 608, §§2,3 (AMD). PL 2003, c. 689, §B6 (REV). PL 2011, c. 542, Pt. A, §§44, 45 (AMD).

#### §6112. Designation of beneficiaries

A resident of this State and members of the resident's immediate family and household who are eligible for social services as provided by Title XX of the Social Security Act by reason of income are also qualified to be a beneficiary of priority social services in terms of income. [RR 2021, c. 2, Pt. B, §216 (COR).]

#### SECTION HISTORY

P&SL 1973, c. 38, §B1 (NEW). PL 1973, c. 148, §3 (AMD). PL 1977, c. 435 (RPR). RR 2021, c. 2, Pt. B, §216 (COR).

#### §6113. Initiation of the program

**1. Administrative preparations.** Effective March 16, 1973, the department may immediately commence administrative preparations for initiation of the program no later than July 1, 1973.

[PL 1981, c. 703, Pt. A, §32 (RPR).]

**2.** As of July 1, 1973, all responsibilities and functions given to the Office of Resource Development, or to Services for Aging, by this Act shall be effectively held by those offices. To achieve this objective, it is the intent of Legislature that the department shall transfer position count to said offices from existing personal services count previously authorized. Personnel of said offices shall work in coordination and cooperation with other units of State Government.

[P&SL 1973, c. 38, Pt. B, §1 (NEW).]

**3.**

[PL 1981, c. 703, Pt. A, §33 (RP).]

#### SECTION HISTORY

P&SL 1973, c. 38, §B1 (NEW). PL 1973, c. 788, §100 (AMD). PL 1981, c. 703, §§A32,33 (AMD).

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