

Rule Changes

Emergency Rule Changes: Emergency Rule Changes mean a change in the rule that happens now. It happens without public feedback. Emergency Rule Changes can only stay in place for a short time.

Right now, **Section 21** and **Section 29** have Emergency Rule Changes made by the Legislature to increase the pay for home supports, work supports, and community supports. **Section 29** has another Emergency Rule Change to increase the caps to respite and home and work supports to match the new rates.

Proposed Rule Changes: Proposed Rule Changes mean a change in the rule that might happen. The Department of Health and Human Services asks for public feedback on the change. After public feedback, the Department picks the changes it wants and makes the rule permanent as an Adopted Rule Change.

Right now, **Section 113 (Non-Emergency Transportation)** have Proposed Rule Changes to require the person, their parent or guardian, or their residential provider to provide an “Escort” when the Broker decides the person needs someone to ride with them. It also limits transportation to school for children with IEPs, removes transportation for families to see their children in residential placements, and allows the Broker to deny transportation to providers they decide are too far away. The public hearing is November 26, 2018 at 9am at the Augusta Armory and written comments are due by December 6, 2018 to Trista Collins at Trista.collins@maine.gov.

Right now, **Chapter 101** of the Department of Education have Proposed Rule Changes which will have an impact on school-age children receiving Child Development Services (“CDS”) and MaineCare services. This includes timeframes for families to meet and provide assessments to the school, a shifting of responsible from Child Development Services to public schools, and removal of ability to keep a kindergarten-eligible child with Child Development Services an additional year before public school. Written comments are due by December 3, 2018 to Janice Breton at Janice.breton@maine.gov.

Right now, **Section 21** and **Section 29** have Proposed Rule Changes to increase the pay for home supports, work supports, and community supports. This would make the Emergency Rule Changes permanent. The time for public feedback is over.

Right now, **Section 13** has Proposed Rule Changes to change what Case Managers are allowed to do. This would make it so Case Managers cannot help people manage their money, cannot help them with activities of daily living, and cannot drive them places. This would also make it so Case Management agencies cannot get paid for time spent on paperwork, meetings, data collection, or reminding people about their appointments. The time for public feedback is over.

Adopted Rule Changes: Adopted Rule Changes means a change in the rule that is permanent. This happens after a Proposed Rule Change and public feedback.

Right now, rules for the **Maine Background Check Center** have been adopted to make rules around background checks for direct care workers. This made rules about what to do when someone cannot work because of their background. Very little changes were made since it was proposed except that increases or decreases in fees will be made through rulemaking to allow for public comment.

Waiting Rule Changes: Sometimes we know a change in the rule is coming before an Emergency Rule Change or Proposed Rule Change because the Legislature asked for it.

The legislature asked for Emergency Rule Changes to increase the pay for case management which hasn't happened yet.