

## Summary of Comments for Help Fix ME Rules

**Except where indicated, the Department did not change the rule in response to these comments.**

Name	Summary of Comments	Response
<b>Public Hearing Comments January 18, 2022</b>		
<b>Stephanie Mains, Harrison (Cat Coalition of Western Maine (TNR))</b>	<ul style="list-style-type: none"> <li>• Would like to see HFM stay as is.</li> <li>• Don't want vets overwhelmed with paperwork.</li> </ul> <p>Additional Written Comments:</p> <ul style="list-style-type: none"> <li>• Low cost spay and neuter programs are important</li> <li>• Important that vets are paid, fairly, consistently and timely</li> </ul>	<p>Thank you for your comments</p>
<b>CJ Virgie, Houlton (Houlton Humane Society)</b>	<ul style="list-style-type: none"> <li>• Needs to be streamlined and simpler</li> </ul>	<p>Thank you for your comments</p>
<b>Casey Cole, DVM Portland, President Maine Veterinary Medical Association</b>	<ul style="list-style-type: none"> <li>• Veterinarians support changes as written</li> <li>• As is, these are perfect rules going forward.</li> </ul>	<p>Thank you for your comments</p>

**Susan Hall,  
Falmouth  
(Spay Maine)**

- Don't need new rules.
- Concerned new rules create more paperwork and bureaucracy.
- Need modern computer program
- Rules limit flexibility of new administrator
- Cannot just send vouchers to only big clinics
- Conflict of Interest provision problem for anyone in state
- Let new administrator to come up with their own way to run the program
- Prepayment should be an option but not a requirement

- Current Rules do not reflect changes and improvements that have been made to programming in the last 12 years. Additionally, Rulemaking was required due to statutory changes effective August 8, 2022 to include a third party administrator and inclusion of feral cats.
- Proposed Rules do not limit vouchers to large clinics/events. It accommodates that method of service delivery that was not accommodated under the current (2011) Rules.
- The Department agrees and has updated Rules to allow veterinarians to elect between prepay and traditional submission of individual invoices for payment

**Esther  
Mechler**

- Prepaying may do harm
- Creates more paperwork
- Reduces flexibility
- Makes it difficult to track and report
- Vets won't want to sign up

- Thank you for your comments
- There is a paperwork reduction under proposed Rules
- Maine Veterinary Medical Association supports the proposed changes to the Rules

**Norma  
Milton,  
Caribou  
(Halfway  
Home Pet  
Rescue)**

- Current Rules are not the problem
- Wants to use current rules exactly as they are

- Current Rules do not reflect changes and improvements that have been made to programming in the last 12 years. Additionally, Rulemaking was required due to statutory changes effective August 8, 2022 to include a third party administrator and inclusion of feral cats.

**John Nutting,  
Leeds**

- Concerned will make it more complicated and time consuming for veterinarians
- Requirement of large reserves to bid is a problem
- Proposed Rule that you must have 20 to participate in the program cuts out individuals and veterinarians that may do low numbers of surgeries
- Rules should be simple
- Funds should be paid to admin 1x month
- Quarterly report back by admin
- Bidding groups should demonstrate how they will hire staff if they receive the contract, not ahead of time

- Maine Veterinary Medical Association supports rule changes as proposed
- There is no requirement of any reserves in proposed rules
- Proposed Rule does not exclude individuals from receiving vouchers nor individual veterinarians from participating, it merely updates the rules to provide for spay/neuter events
- State is unable to provide payments to admin on a monthly basis as funds for HFM are not regularly (or monthly) received
- Report back would be per RFP
- The Department agrees. Rules will be amended to allow bidders to demonstrate how they will hire staff if they receive the contract.

<b>Sharon Secovich, (Spay Maine)</b>	<ul style="list-style-type: none"> <li>• Rules transform from a voucher program to a large spay neuter event program</li> <li>• Program is complicated</li> <li>• Makes more paperwork for veterinarians</li> <li>• Creates spay neuter deserts</li> <li>• Written so that no animal welfare organization or veterinarian will be eligible to administer the program</li> <li>• Concern with requirement that RFP bidders have experience administering a program of similar budget on statewide basis</li> <li>• Concern with conflict of interest requirement for RFP bidders</li> <li>• Agrees with providing vouchers to providers for events but does not believe new rules are necessary to do that</li> </ul>	<ul style="list-style-type: none"> <li>• Rules do not transform in this way, they are amended to allow for the spay/neuter events that are already taking place but are not accommodated under the current (2011) Rules</li> <li>• Less paperwork is required of veterinarians than is required under current programming; Maine Veterinary Medical Association supports proposed Rule changes</li> <li>• Conflict of Interest provision is required under state contract/RFP, regardless of whether it is included in these rules. Inclusion ensures stakeholders are aware of requirement.</li> <li>• Current Rules (2011) do not accommodate practical changes that have been implemented to programming in the last 12 years.</li> </ul>
<p>Written comments: Written comments submitted are identical to oral testimony.</p>		
<b>Beverly Soutter, (Cat Coalition of Western Maine)</b>	<ul style="list-style-type: none"> <li>• New Rules not necessary</li> <li>• Veterinarians should not have to do paperwork, group can do it</li> <li>• Does not support pre-pay</li> </ul>	<ul style="list-style-type: none"> <li>• Rulemaking is a required process based on statutory changes effective August 8, 2022.</li> <li>• Veterinarians are accountable for paperwork but have full discretion as to whom they engage or employ to complete it on their behalf.</li> </ul>
<b>Jean Cobb St. Agatha</b>	<ul style="list-style-type: none"> <li>• Agrees with most previous speakers</li> <li>• Does not agree with Casey Cole from Portland</li> </ul>	<p>Thank you for comments.</p>
<b>Katie Lisnik, Lewiston (Maine Federation of Humane Societies)</b>	<ul style="list-style-type: none"> <li>• Will submit written feedback</li> <li>• Current rules too restrictive</li> <li>• New Rules need to be nimble</li> <li>• Overall, Maine Federation of Humane Societies is not opposed to the proposed new rules</li> <li>• Prepayment can work to address entire state</li> <li>• Program should not be exclusively focused on overpopulation, should also now consider access to care as well.</li> <li>• Low income to access to care should be a primary focus of this program now</li> </ul>	<ul style="list-style-type: none"> <li>• Thank you for your feedback. Specific Rule change comments will be addressed under the written comments submitted on behalf of the Maine Federation of Humane Societies.</li> </ul>
<p>Written comments from Maine Federation of Humane Societies:</p>		
<ul style="list-style-type: none"> <li>• Help Fix ME must recognize that since program’s inception there have been significant changes in the veterinary field and Maine’s pet, shelter, and feral cat populations requiring a broadening of the program’s focus to reflect current needs</li> <li>• Add to the program’s purpose list “g) Under-resourced areas lacking access to basic veterinary care”</li> </ul>		<ul style="list-style-type: none"> <li>• Chapter 717 §3910-B §§1 requires that fund be used for the spaying or neutering of companion animals owned by persons meeting income limit standards and for the spaying or neutering of a feral cat regardless of a person’s income and for the necessary direct administrative and personnel costs associated with management of the fund.</li> <li>• Feral Cat is defined by Ch 717 §3907 §§12-E and cannot be changed by Rules</li> </ul>

- Definition changes requested: FERAL CAT, OVERPOPULATION, SPAY/NEUTER EVENT, STRAY ANIMAL, VETERINARY PROVIDER.
- Regarding Section 2 Eligibility recommend
  - A.3.: Change “veterinarian” to “veterinary provider”
  - A.4.: Maintain the reference to “and/or the Administrator”
  - A.5.: Income eligibility should be more flexible and broadened
- Regarding Section 3 Veterinary Participation recommend B. Add “or Administrator”
- Regarding Section 4 Program Administration recommend
  - A1: Keep as “issuing vouchers”
  - A4: Remove “large”
  - A5: change “veterinarians” to “veterinary providers”; add “an” to “application”
  - A6: change “veterinarians” to “veterinary providers”
  - A7: change “AWP” to “Commissioner”; add “provider” after “veterinary”
  - B: Remove “The contracted organization shall submit quarterly financial reports to the Commissioner. This report shall include but not be limited to the number of vouchers issued, an accounting of funds dispersed, and the balance of the account”
- Regarding Section 5 Performance Measurement recommend broadening to include additional measurements
- Regarding Section 6 Distribution of Funds recommend section should also be updated to provide flexibility and reflect the many purposes of the program and changes
- The Department agrees that the definition of Spay/Neuter event should be changed to accommodate smaller events than original definition allowed for and will amend Rules accordingly
- Department agrees and will change definitions of overpopulation and stray in the Rules
- The Department agrees and will update the language in Section 2 A.3, A.4, A.5.B (“or administrator” only)
- The Department agrees and will update the language in Section 3.B.
- The Department partially agrees and will modify the language in Section 4.A.1.
- The Department agrees and will update the language in 4.A.4, 4.A.5, 4.A.6, 4.A.7.
- Thank you for your comments
- Chapter 717 §3910-B §§1 requires that fund be used for the spaying or neutering of companion animals owned by persons meeting income limit standards and for the spaying or neutering of a feral cat regardless of a person’s income and for the necessary direct administrative and personnel costs associated with management of the fund

**Jessica Matulis, DVM**

- Wants to confirm that vouchers will be available for use at all veterinarians and for individuals not just spay/neuter events as per some of the previous comments that have been made to that effect
- Proposed Rule does not exclude individuals from receiving vouchers nor individual veterinarians from participating, it merely updates the rules to provide for spay/neuter events that are not accommodated under the current (2011) rules.

<p><b>Susanna Richer, Portland (written)</b></p>	<ul style="list-style-type: none"> <li>• Section 2A(4) – Eligibility- should not remove administrator as able to waive copay</li> <li>• Section 2C-would like to see the proposed change that expands eligibility to pet owners that obtain their pets directly from out of state removed and return to all out of state animals being excluded.</li> <li>• Section 3- Veterinarian Participation-concerned proposed rules will be overly burdensome to veterinarians</li> <li>• Would like to see both events and individual voucher options available</li> <li>• Section 4(A) Program Administration- concerned that requiring experience administering similar size/budget programs will exclude all interested organizations</li> <li>• Does not like Conflict of Interest provision</li> </ul>	<ul style="list-style-type: none"> <li>• The Department agrees and the proposed Rules will be amended to reflect this suggestion</li> <li>• The Department agrees and the proposed Rules will be amended to reflect this suggestion</li> <li>• The Maine Veterinary Medical Association supports the proposed Rules as written</li> <li>• Both options are available under these Rules</li> <li>• Assessing experience of administering similar program is already part of state RFP template, included in Rules to provide notice to stakeholders prior to the RFP process</li> <li>• Conflict of Interest provision will be required in RFP/Contract, included in Rules to provide notice to stakeholders prior to the RFP process.</li> </ul>
<p><b>Katie Hansberry (Maine State Senior Director, Humane Society of the United States) (written)</b></p>	<ul style="list-style-type: none"> <li>• Recommend broadening definition of FERAL CAT to include cats commonly referred to as “community cats”.</li> <li>• Recommend considering all feral cats to be an overpopulation and change definition of OVERPOPULATION accordingly</li> </ul>	<ul style="list-style-type: none"> <li>• Feral Cat is defined by Ch 717 §3907 §§12-E and cannot be changed by Rules</li> <li>• The Department agrees and has updated Overpopulation definition for purposes of Help Fix ME funding</li> </ul>
<p><b>Elizabeth Stone, DVM (written)</b></p>	<ul style="list-style-type: none"> <li>• Concern that pet owners cannot wait for ‘event style’ spay/neuter and cannot travel to ‘events-style’ clinics.</li> <li>• Concerned veterinarians won’t participate if burdensome paperwork and reporting is required, won’t want to commit to certain number of surgeries.</li> </ul>	<ul style="list-style-type: none"> <li>• Proposed Rules do not limit participation to event style spay/neuter clinics</li> <li>• Maine Veterinary Medical Association supports the proposed Rules as written</li> </ul>