**10** and **14**

**Department of Health and Human Services (DHHS)**

**Annual Regulatory Agenda**

**October 1, 2024 – September 30, 2025**

List of reported agendas:

**Licensing Rules** (several umbrella-unit numbers).

**10-144: Office of Health Insurance Marketplace**

**10-144: Division of Administrative Hearings**

**10-144: Office of MaineCare Services, Division of Policy**

**10-144: Office for Family Independence** (formerly Office of Integrated Access and Support)

**10-144: Maine Center for Disease Control and Prevention**

*(includes 90-429, Board of Licensure of Water Treatment Plant Operators)*

**10-146: Office of Data, Research and Vital Statistics**

**10-148: Office of Child and Family Services** *(chapters not already listed under Licensing Rules)*

**14-118: Office of Behavioral Health Services** (formerly the Office of Substance Abuse and Mental Health Services)

**10-149 & 14-197**: **Office of Aging and Disability Services (**formerly the Office Elder Services and the Office of Adults with Cognitive and Physical Disability Services)

**Licensing Rules**:

**10-144**: DHHS – General

**10-148**: Office of Child and Family Services

**10-149 & 14-197**: Office of Aging and Disability Services (formerly the Office Elder Services and the Office of Adults with Cognitive and Physical Disability Services)

**14-118**: Office of Behavioral Health Services (formerly the Office of Substance Abuse and Mental Health Services) -- includes 14-191: Mental Health and Mental Retardation and 14-193: Office of Adult Mental Health

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AGENCY UMBRELLA-UNIT NUMBER:  **10-144**

**AGENCY NAME**:    Office of the Health Insurance Marketplace

**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:** None

**Office of the Health Insurance Marketplace CONTACT PERSON:** Hilary Schneider, Director,  151 Jetport Blvd, Portland, ME  04102, Telephone: (207) 822-2061

**EXPECTED 2023-2024 RULE-MAKING ACTIVITY**

**10-144**

**10-144  CHAPTER \_\_\_\_. Easy Enrollment Program.**

* STATUTORY BASIS: 22 M.R.S. §§5407 and 5412

PURPOSE: These rules establish requirements and procedures to implement the easy enrollment program established by 22 M.R.S. §5412

* AFFECTED PARTIES; Other state agencies, taxpayers and health insurers.
* INFORMATION ON ANY PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: None planned
* SCHEDULE FOR ADOPTION: Summer 2024

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##### AGENCY UMBRELLA-UNIT NUMBER: 10-144

##### AGENCY NAME: Division of Licensing and Certification

**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:** None

**Division of Licensing and Certification CONTACT PERSON:** Jonathan Leach, Compliance Manager, #11 State House Station Augusta, ME 04333-0011 Telephone: (207) 287-5825

**EXPECTED 2024-2025 RULE-MAKING ACTIVITY**

**10-144**

**NEW RULES ANTICIPATED**

**10-144 CMR Ch. TBD, Home and Community Based Programs Licensing Rule**

* STATUTORY BASIS: PL 2023 Chapter 89.
* PURPOSE: To implement a licensing protocol for currently unlicensed providers of Section 21 and 29 residential services, day and community programs, employment services, case management services, and shared living services.
* AFFECTED PARTIES; Other State agencies, providers, and consumers
* INFORMATION ON ANY PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: None planned
* SCHEDULE FOR ADOPTION: Fall/Winter 2024/2025

**RULEMAKING**

**10-144 CMR Ch. 129, Rules and Regulations Governing In-Home Personal Care and Support Workers**

* STATUTORY BASIS: 22 M.R.S. §§42 and 1717; 22-A M.R.S. §205.
* PURPOSE: The rule will be amended to implement the licensure of personal care agencies in response to the passage of PL 2023 Ch. 309, to include enforcement authority and penalties including injunctive relief for operating an unlicensed personal care agency.
* AFFECTED PARTIES; Other state agencies, providers, and consumers of services provided by personal care agencies and placement agencies.
* INFORMATION ON ANY PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: None planned
* SCHEDULE FOR ADOPTION: Summer 2024

**10-144 CMR Ch. 500, Rules Governing the Maine Certification of Health Cooperative Agreements**

* STATUTORY AUTHORITY: 20-A M.R.S. Chapter 405-A.
* PURPOSE OF THE RULE: Repeal in accordance with PL 2023 Ch. 37. This rule provided a voluntary procedure for state review and continuing supervision of cooperative agreements through the issuance of a certificate of public advantage.
* AFFECTED PARTIES: Primary care physicians and health care facilities
* INFORMATION ON ANY PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: None planned
* SCHEDULE FOR ADOPTION: Fall 2024

**10-144 CMR Ch. 113, Regulations Governing the Licensing and Functioning of Assisted Housing Programs**

* STATUTORY BASIS: 22 M.R.S., Chapters 1663 and 1664; 22 M.R.S. §42; 22-A M.R.S. §205.
* PURPOSE. To merge the current 10 sections of Assisted Housing rule into one rule to facilitate the licensing process for providers.
* AFFECTED PARTIES: Other state agencies, providers, and consumers of services.
* INFORMATION ON ANY PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: None planned
* SCHEDULE FOR ADOPTION: Winter 2024

**10-144 CMR Ch. 60, Maine Background Check Center Rule**

* STATUTORY AUTHORITY: 22 M.R.S. Chapter 1691, §§ 9051-9065.
* PURPOSE: To adopt statutory changes regarding biometric data, procedures for relief, and scope of mandated users enacted by PL 2023 Chapter 241.
* AFFECTED PARTIES: Currently mandated users and hospitals.
* INFORMATION ON ANY PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: None planned
* SCHEDULE FOR ADOPTION: Winter 2024

**10-144 CMR Ch 128,** **Certified Nursing Assistant and Direct Care Worker Registry Rule**

* STATUTORY BASIS: 22 M.R.S. §§ 42, 1812-G, and 1812-J; 22-A M.R.S. §205.
* PURPOSE: To implement statutory changes regarding rules related to the operation of the Certified Nursing Assistants and Direct Care Workers Registry enacted by PL 2023 Chapter 241.
* AFFECTED PARTIES: Healthcare facilities, long-term care facilities, personal care agencies and placement agencies, temporary nurse agencies, and direct care workers.
* INFORMATION ON ANY PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: None planned
* SCHEDULE FOR ADOPTION: Winter/Spring 2024/2025

**10-144 CMR Ch. 118, Regulations Governing The Licensing And Functioning Of Intermediate Care Facilities For Persons With Intellectual Disabilities**

* STATUTORY BASIS: 22 M.R.S. 42(1)
* PURPOSE. To update terms, remove references to “mental retardation”, and update procedures for further clarity. Remove duplicative requirements addressed in the federal Conditions of Participation (incorporated by reference.)
* AFFECTED PARTIES: Intermediate Care Facilities for Persons with Intellectual and Developmental Disabilities
* INFORMATION ON ANY PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: None planned
* SCHEDULE FOR ADOPTION: Spring 2025

**10-144 CMR Ch. 112, Regulations For the Licensing of Hospitals**

* STATUTORY BASIS: Public Law 2007, Chapters 314 and 324; 22 M.R.S. Chapter 405; 22 M.R.S. §42; and 22-A MRS §205.
* PURPOSE. To address changes in response to statute regarding staffing policies and use of the Maine Background Check Center and update terms and procedures for further clarity. Remove duplicative requirements addressed in the federal Conditions of Participation (incorporated by reference.) Repeal Chapters 112 and 150 (Free Care Guidelines, below) and replace with one rule that incorporates the Free Care Guidelines.
* AFFECTED PARTIES: Hospitals
* INFORMATION ON ANY PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: None planned
* SCHEDULE FOR ADOPTION: Summer 2025

**10-144 CMR Ch. 150, Free Care Guidelines**

* STATUTORY BASIS: 22 M.R.S. §§1716 and §42; 22-A M.R.S. §205.
* PURPOSE: See 10-144 CMR Ch 112 above. Repeal this rule and replace with a revised Ch 112 that incorporates the guidelines for the free care policies of hospitals determining whether individuals are unable to pay for hospital services, including minimum income guidelines.
* AFFECTED PARTIES: Providers and consumers.
* INFORMATION ON ANY PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: None planned
* SCHEDULE FOR ADOPTION: Fall 2025

**10-144 CMR Ch. 110, Rules Governing the Licensing and Functioning of Skilled Nursing Facilities and Nursing Facilities**

* STATUTORY BASIS: 22 MRS Chapter 405
* PURPOSE. To update terms and procedures for further clarity. Remove duplicative requirements addressed in the federal Conditions of Participation (incorporated by reference.)
* AFFECTED PARTIES: Nursing facilities, consumers, family members
* INFORMATION ON ANY PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: None planned
* SCHEDULE FOR ADOPTION: Fall 2025

**10-144 CMR Ch. 119**, **Regulations Governing the Licensing and Functioning of Home Health Care Services in the State of Maine**

* STATUTORY BASIS: 22 M.R.S. Chapter 419; 22 M.R.S. §42; 22-A M.R.S.§205.
* PURPOSE: Amend rules to comply with federal and state statutory changes to allow home health agencies meeting the Federal Conditions of Participation for Home Health Agencies.
* AFFECTED PARTIES: Other state agencies, providers, and consumers of Home Health Care services.
* INFORMATION ON ANY PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: None planned
* SCHEDULE FOR ADOPTION: Winter 2025

**CERTIFICATE OF NEED RULE.** Consolidate the following CON rules into one rule:

**10-144** **CMR Ch. 503,** **Maine Certificate of Need Procedures Manual for Health Care Facilities (other than Nursing Care Facilities)**

* STATUTORY BASIS: 22 M.R.S. Chapter 103-A, Maine Certificate of Need Act of 2002; Public Law 2011, Chapter 424; 22 M.R.S. §42, and 22-A M.R.S. §205.
* PURPOSE: The three current CON rules will be repealed and replaced by a single CON rule that will include what is now in Section 71 (nursing facility CON provisions) and a number of mandated statutory changes.
* AFFECTED PARTIES: Other state agencies, providers, and consumers.
* INFORMATION ON ANY PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: None planned

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**10-149 CMR** **Ch. 5, Section 71, Certificate of Need for Nursing Facility Level of Care Projects**

* STATUTORY BASIS: 22 M.R.S. Chapter 103-A, Maine Certificate of Need Act of 2002; Public Law 2011, Chapter 424; 22 M.R.S. §42, and 22-A M.R.S. §205.
* PURPOSE: This rule will be repealed and Chapter 503 (above) will include nursing facility CON provisions.
* AFFECTED PARTIES; Other state agencies, providers, and consumers.
* INFORMATION ON ANY PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: None planned

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**10-144 CMR Ch. 501, Maine Certificate of Need Act Limitations**

* STATUTORY AUTHORITY: 22 M.R.S. § 342
* PURPOSE: This rule will be repealed. These rules limit the CON applications the State will accept.
* AFFECTED PARTIES: Providers subject to the certificate of need process.
* INFORMATION ON ANY PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: None planned
* SCHEDULE FOR ADOPTION OF NEW RULE: Winter 2025

**14-118 CMR Ch. 6, Regulations for Employee Assistance Programs for Employers Operating in the State of Maine**

* STATUTORY BASIS: 26 MRS § 683 (1)(B)
* PURPOSE: Repeal this rule contingent upon statutory revision of 26 MRS § 683 (1)(B) to remove DHHS certification of Employee Assistance Providers, as redundant of Department of Labor processes regarding Employee Assistance Programs and Plans and DLC licensing of Behavioral Health Organizations.
* AFFECTED PARTIES: Employee Assistance Programs and employers
* INFORMATION ON ANY PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: Pending statute revision

**10-144 CMR Ch. 114, Rules Governing the Reporting of Sentinel Events**

* STATUTORY BASIS: 22 M.R.S. Chapter 1684, 22 M.R.S.§42 and 22-A M.R.S.§205
* PURPOSE. To update terms and procedures for further clarity.
* AFFECTED PARTIES: Hospitals and Medical Facilities
* INFORMATION ON ANY PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: None planned
* SCHEDULE FOR ADOPTION: Pending statute revision

**NO RULEMAKING ANTICIPATED FOR THE FOLLOWING:**

**10-144 CMR Ch. 117,**  **Regulations Governing the Licensing and Functioning of Adult Day Services Programs**

* STATUTORY BASIS: 22 M.R.S. § 42(1)
* PURPOSE: Establishes the minimum requirements for the licensing and functioning of Adult Day Services Programs and requirements that the provider must meet regarding application and licensing standards.
* AFFECTED PARTIES: Adult Day Services providers and consumers
* INFORMATION ON ANY PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None anticipated

**10-144 CMR Ch. 120, Regulations Concerning the Licensing and Functioning of Hospice Programs**

* STATUTORY BASIS: 22 M.R.S. Chapter 1681; 22 M.R.S.§42; 22-A M.R.S.§205.
* PURPOSE. To assure that hospice programs meet the needs of patients.
* AFFECTED PARTIES: Other state agencies, providers, and consumers
* INFORMATION ON ANY PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: Not yet determined.
* SCHEDULE FOR ADOPTION: None anticipated

**10-144 CMR Ch. 125,** **Regulations Governing the Licensing of Ambulatory Surgical Facilities**

* STATUTORY BASIS: 22 M.R.S. §1812-E
* PURPOSE: Establishes standards for ambulatory surgical facilities that provide elective surgical care to a patient who is admitted to and discharged from the facility within the same day.
* AFFECTED PARTIES: Ambulatory surgical facility providers, other State agencies and consumers of ambulatory care services.
* INFORMATION ON ANY PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None anticipated

**10-144 CMR Ch. 126, Regulations Governing the Licensing and Functioning of End Stage Renal Disease Units/Facilities**

* STATUTORY BASIS: 22 M.R.S. Chapter 412 §§2041-2042
* PURPOSE: Establishes standards for the licensing of end-stage renal disease facilities.
* AFFECTED PARTIES: End-stage renal disease service providers, consumers
* INFORMATION ON ANY PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None anticipated

**10-144 CMR Ch. 130, Epinephrine Auto-Injector Training and Certification Rule**

* STATUTORY AUTHORITY: 22 M.R.S. Chapter 423
* PURPOSE OF THE RULE: Certifying the training of healthcare practitioners who are licensed in the State of Maine to conduct anaphylaxis training.
* AFFECTED PARTIES: physicians (MD and DO), advanced registered nurse practitioners (ARNP), physician assistants (PA), registered nurses (RN) and emergency medical technicians (EMT) or paramedics.
* INFORMATION ON ANY PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: None planned
* SCHEDULE FOR ADOPTION: None Anticipated

**10-144 CMR Ch. 123, Behavioral Health Licensing Rule.**

* STATUTORY BASIS: 5 M.R.S. Chapter 521; 22 M.R.S. Chapter 1669; 22 M.R.S. §42; 22-A M.R.S. §205; and 34-B M.R.S. Chapter 3.
* PURPOSE: The rule includes core licensing standards for behavioral health programs, including mental health and substance abuse treatment. The rule includes deeming provisions for accredited providers to avoid redundancies in the licensing and accreditation processes and a section governing independent contractors.
* AFFECTED PARTIES: Other State agencies, providers and consumers
* INFORMATION ON ANY PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: None planned
* SCHEDULE FOR ADOPTION: None anticipated

**10-144 CMR Ch. 111, Temporary Nurse Agency Licensing Rule.**

* STATUTORY BASIS: LD 451
* PURPOSE: Implements a licensing protocol for temporary nursing agencies.
* AFFECTED PARTIES: Temporary Nursing Agencies, other State agencies, and consumers
* INFORMATION ON ANY PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: None planned
* SCHEDULE FOR ADOPTION: None anticipated

**10-144 CMR Ch. 256, Rules Governing Maine Medical Laboratories and Health Screening Permits**

* STATUTORY BASIS:
* PURPOSE: The purpose of these rules is (1) to develop, establish and enforce minimum standards for the licensing of nonexempt medical laboratories pursuant to the Maine Medical Laboratory Act; (2) to incorporate by reference the federal regulations governing the Clinical Laboratory Improvement Amendments of 1988, as amended (CLIA); (3) to align state and federal requirements; and (4) to establish procedures for the issuance of permits for health screening laboratories (HSLs). Medical laboratories provide essential health services by aiding medical practitioners in the diagnosis and treatment of disease.
* AFFECTED PARTIES: Nonexempt medical laboratories
* INFORMATION ON ANY PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: None planned
* SCHEDULE FOR ADOPTION: None anticipated

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AGENCY UMBRELLA-UNIT NUMBER: **10-144**

AGENCY NAME: **Division of Administrative Hearings**

**CONTACT PERSON:** Tamra Longanecker, Acting Chief Administrative Hearing Officer, #11 State House Station Augusta, ME 04333-0011 Telephone: (207) 624-5350

**EXPECTED 2024-2025 RULE MAKING ACTIVITY:**

**10-144 CHAPTER 1. Administrative Hearing Regulations**

* STATUTORY BASIS: 5 M.R.S. §§ 8051-10004, 22 M.R.S. § 42, and 22-A M.R.S. § 207.
* PURPOSE. The rules describe the procedure for conducting administrative hearings.
* AFFECTED PARTIES: DHHS representatives and parties who request administrative hearings.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated

SCHEDULE FOR ADOPTION: None anticipated

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AGENCY UMBRELLA-UNIT NUMBER: **10-144**

AGENCY NAME: **Office of MaineCare Services, Division of Policy**

**CONTACT PERSON**: Jessica Miller, Director, Division of Policy, Office of MaineCare Services, #11 State House Station, Augusta, ME 04333-0011. Tel. (207) 287-7729

**2024-2025 Regulatory Agenda (Rules) - Department of Health and Human Services - State of Maine - Office of MaineCare Services, Division of Policy**

**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:**

* MaineCare Benefits Manual Chapter III, Section 21, *Allowances for Home and Community Benefits for Adults with Intellectual Disabilities or Autism Spectrum Disorder*
* MaineCare Benefits Manual Chapter III, Section 29, *Allowances for Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder*

**CONSENSUS BASED RULEMAKING:** None

**EXPECTED RULEMAKING ACTIVITY- October 1, 2024- September 30, 2025:**

**CHAPTER 101**: MaineCare Benefits Manual: Chapters I, II, III, IV, V, VI, VII, VIII, X and relevant Principles of Reimbursement

* STATUTORY AUTHORITY: 22 M.R.S.A. § 42, § 3173; P.L. 99 Chapter 777
* PURPOSE: These rules describe requirements for the provision and reimbursement of services under the MaineCare (formerly, Maine Medicaid and State Child Health Insurance Program (SCHIP), also known as Cub Care) program. It also describes certain administrative functions necessary for the operation of the MaineCare Program. They will be amended to comply with federal changes, to update policy and to implement new services and regulations, as necessary.
* ANTICIPATED SCHEDULE: It is not possible to predict when all of the changes will be made to these regulations because of the nature of this work. Federal regulation changes, state legislation, and state-initiated changes as a result of identified problems and budget considerations require the timely amendment or adoption of new rules over the course of the year.
* AFFECTED PARTIES: MaineCare members, MaineCare providers, and Managed Care Organizations

**CHAPTER 104:**  Maine State Services Manual

* STATUTORY AUTHORITY: 22 M.R.S.A. § 257
* PURPOSE: These rules describe requirements for the provision and reimbursement of services under the state funded services including Drugs for the Elderly (DEL) Benefit and Maine Rx+ Benefit.  It also describes certain administrative functions necessary for the operation of these Benefits. They will be amended to comply with federal changes, to update policy and to implement new services and regulations, as necessary.
* ANTICIPATED SCHEDULE: It is not possible to predict when all of the changes will be made to these regulations because of the nature of this work. Federal regulation changes, state legislation, and state-initiated changes as a result of identified problems require the timely amendment or adoption of new rules over the course of the year.
* AFFECTED PARTIES: Participants and providers in DEL and other state funded benefits.

**CHAPTER 107:**  Medical Eye Care Program

* STATUTORY AUTHORITY: 22 M.R.S.A. § 3521
* PURPOSE: These rules govern the operation of Maine's **State-funded Eye Care Program**. They will be amended to reflect administrative changes found necessary through monitoring of this program.
* ANTICIPATED SCHEDULE: It is not possible to predict when changes will be made to the above regulations because of the nature of this policy.  State-initiated changes as a result of identified problems will require the timely amendment of the rules. It is anticipated this chapter will be incorporated into Chapter 104.
* AFFECTED PARTIES: Children and adults not eligible for Medicaid for whom the State   would reimburse for certain eye care services as well as the providers of these services

**CHAPTER 275:**  Reporting Requirements for Pharmaceutical Manufacturers and Labelers

* STATUTORY AUTHORITY:  22 MRSA § 2698-A, 22 MRSA § 2700-A
* PURPOSE: These rules define statutory obligations of manufacturers and labelers of prescription drugs and biological products to publicly register and report results of clinical trials and also report gifts to prescribers and marketing costs in Maine.
* ANTICIPATED SCHEDULE: It is not possible to predict when additional changes will be made to the above regulations because of the nature of this policy. State-initiated changes as a result of identified problems will require the timely amendment of the rules.  Two changes for the upcoming year include new requirements for prescriber confidentiality and academic detailing.
* AFFECTED PARTIES: Residents of Maine

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**AGENCY NAME:** Office for Family Independence (OFI):Eligibility, Employment and Training and Support Enforcement and Recovery

**ELIGIBILITY AND EMPLOYMENT AND TRAINING CONTACT PERSON**: Ian Yaffe, Director, Office for Family Independence, #11 State House Station, 109 Capitol Street, Augusta, ME 04333-0011. Telephone: (207) 624-4104. E-mail: [ian.yaffe@maine.gov](mailto:anthony.pelotte@maine.gov)

**SUPPORT ENFORCEMENT AND RECOVERY CONTACT PERSON**: Jerry Joy, Director, Division of Support Enforcement and Recovery, #11 State House Station, 109 Capitol Street, Augusta, ME 04333-0011. Telephone: (207) 624-6985. E-mail: [Jerry.Joy@Maine.gov](mailto:Jerry.Joy@Maine.gov)

**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:**

* SNAP Rule #231E – FFY24 Budgeting filed on 11/28/23.

**EXPECTED RULEMAKING ACTIVITY** - **October 1, 2024 – September 30, 2025:**

**ELIGIBILITY:**

**CHAPTER 301**: Supplemental Nutrition Assistance Program (SNAP) Rules

* STATUTORY AUTHORITY: 22 M.R.S.A. § 3104
* PURPOSE: These rules establish requirements for eligibility for the Supplemental Nutrition Assistance Program. The rules will be amended to reflect policy and law changes as well as to clarify requirements already in effect.
* ANTICIPATED SCHEDULE: Year round
* AFFECTED PARTIES: Individuals who receive or apply for Supplemental Nutrition Assistance Program benefits.

**CHAPTER 323**: Maine General Assistance Manual

* STATUTORY AUTHORITY: 22 M.R.S.A. §§ 4300-4323
* PURPOSE: These rules establish overall requirements for eligibility for the General Assistance program. Rules are further delineated by municipal ordinances. These rules will be amended to reflect policy and law changes as well as to clarify rules already in effect.
* ANTICIPATED SCHEDULE: Year round
* AFFECTED PARTIES: Individuals who apply for or receive General Assistance benefits.

**CHAPTER 331**: Maine Public Assistance Manual (TANF – Temporary Assistance for Needy Families)

* STATUTORY AUTHORITY: 22 M.R.S.A. §§ 3761-3789
* PURPOSE: These rules establish overall requirements for eligibility for the Temporary Assistance for Needy Families and other cash assistance programs. The rules will be amended to reflect policy, law changes, and federal program instructions as well as to clarify requirements already in effect.
* ANTICIPATED SCHEDULE: Year round
* AFFECTED PARTIES: Families who apply for or receive Temporary Assistance for Needy Families and other cash assistance.

**CHAPTER 332**: MaineCare Eligibility Manual

* STATUTORY AUTHORITY: 22 M.R.S.A. § 3173
* PURPOSE: These rules establish requirements for eligibility for Maine's MaineCare and State Supplement to Supplemental Security Income programs. The rules will be amended to reflect changes in law, including health care reform, and to clarify requirements already in effect.
* ANTICIPATED SCHEDULE: Year round
* AFFECTED PARTIES: Individuals and families applying for or receiving MaineCare or State Supplement benefits.

**CHAPTER 333:** Low Cost Drugs for the Elderly and Disabled (DEL) - Eligibility

* STATUTORY AUTHORITY: 22 M.R.S.A. § 254-D
* PURPOSE: These rules establish requirements for eligibility for Low Cost Drugs for the Elderly and Disabled (DEL) program. The rules will be amended to reflect changes in law and to clarify requirements already in effect.
* ANTICIPATED SCHEDULE: Year round
* AFFECTED PARTIES: Individuals and families applying for or receiving DEL benefits.

**CHAPTER 334:** Maine Rx Plus - Eligibility

* STATUTORY AUTHORITY: 22 M.R.S.A. § 2681
* PURPOSE: These rules establish requirements for eligibility for Maine Rx Plus Program. The rules will be amended to reflect changes in law and to clarify requirements already in effect.
* ANTICIPATED SCHEDULE: Year round
* AFFECTED PARTIES: Individuals and families applying for or receiving Maine Rx Plus benefits.

**EMPLOYMENT AND TRAINING:**

**CHAPTER 330**: Higher Opportunity for Pathways to Employment (HOPE) Program Rules

* STATUTORY AUTHORITY: 22 M.R.S.A. § 3790
* PURPOSE: These rules establish overall requirements for eligibility for the Higher Opportunity for Pathways to Employment program. The rules will be amended to reflect policy, law changes, and federal program instructions as well as to clarify requirements already in effect.
* ANTICIPATED SCHEDULE: Year round
* AFFECTED PARTIES: Families who apply for or receive Higher Opportunity for Pathways to Employment.

**CHAPTER 607**: ASPIRE-TANF Program Rules

* STATUTORY AUTHORITY: 22 M.R.S.A. § 3781-A
* PURPOSE: These rules establish requirements for participants in the ASPIRE program who are receiving Temporary Assistance for Needy Families benefits. They will be amended to reflect changes in law and policy and to clarify requirements already in effect.
* ANTICIPATED SCHEDULE: Year round
* AFFECTED PARTIES: Individuals participating in the ASPIRE/TANF program.

**CHAPTER 609**: Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) Program Rules

* STATUTORY AUTHORITY: 22 M.R.S.A. § 3104
* PURPOSE: These rules establish requirements for participants in the SNAP E&T Program who are receiving Supplemental Nutrition Assistance Program benefits. The rules will be amended to reflect changes in law and policy and to clarify requirements already in effect.
* ANTICIPATED SCHEDULE: Year round
* AFFECTED PARTIES: Individuals participating in the SNAP E&T Program who are receiving Supplemental Nutrition Assistance Program benefits.

**CHILD SUPPORT ENFORCEMENT AND RECOVERY (TO BE SUBMITTED DIRECTLY BY DSER TO CO.)**

**CHAPTER 351:**  Maine Child Support Enforcement Manual

* STATUTORY AUTHORITY:  Title 19-A, Chapters 63 and 65
* PURPOSE:  These rules establish requirements and procedures for enforcement and recovery of child support pursuant to court and administrative orders. The rules will be amended to reflect changes in law, and to clarify requirements already in effect.
* ANTICIPATED SCHEDULE: Year round
* AFFECTED PARTIES: Individuals and families for whom the Division of Support Enforcement and Recovery collects child and spousal support.

**SUPPORT ENFORCEMENT AND RECOVERY:**

**CHAPTER 351** Child Support Enforcement Manual: None

**EXPECTED RULEMAKING ACTIVITY- October 1, 2024 - September 30, 2025:**

**CHAPTER 351:**  Maine Child Support Enforcement Manual

* STATUTORY AUTHORITY:  Title 19-A, Chapters 63 and 65
* PURPOSE:  These rules establish requirements and procedures for enforcement and recovery of child support pursuant to court and administrative orders. The rules will be amended to reflect changes in law, and to clarify requirements already in effect.
* ANTICIPATED SCHEDULE: Year round
* AFFECTED PARTIES: Individuals and families for whom the Division of Support Enforcement and Recovery collects child and spousal support.

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AGENCY UMBRELLA-UNIT NUMBER: **10-144 and 10-146**

AGENCY NAME: **Maine Center for Disease Control and Prevention**

**MAINE CDC** **RULEMAKING LIAISON**: Tera Pare, JD, Manager, Policy and Compliance, Maine CDC, 11 SHS- 286 Water Street, Augusta, ME 04333-0011; (207) 287-5680; tera.pare@maine.gov

**EXPECTED FY 2024-2025- RULEMAKING ACTIVITY:** October 1, 2024 to September 30, 2025

**10-144 CMR**

**CHAPTER 124. EMERGENCY MEDICAL SERVICES REPORTING RULE**

* STATUTORY BASIS: 22 MRS §820(1)(C)
* PURPOSE: To enable the surveillance of the personnel aspect of Maine emergency medical system during a state of civil emergency, to ensure that the Department can assist in responding appropriately to public health emergencies and support the Maine EMS as a comprehensive and effective system for optimizing patient care during a state of civil emergency.
* AFFECTED PARTIES: EMS staff; MEMA
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None anticipated

**CHAPTER 175. AMYOTROPHIC LATERAL SCLEROSIS INCIDENCE REGISTRY RULE**

* STATUTORY AUTHORITY: 22 MRS § 1415
* PURPOSE: This new rule requires healthcare providers to report cases of ALS to the Maine CDC Data Records and Vital Statistics within 6 months of diagnosis and governs the Maine CDC’s operation of the ALS registry, reporting requirements to the registry, and data release protocols.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None anticipated

**CHAPTER 200.**  **STATE OF MAINE FOOD CODE**

* STATUTORY BASIS: 22 MRS §2496(1) & 7 MRS §12
* PURPOSE: To update any recent protocols for this rule, which addresses controls for risk factors and further establishes 5 key public health interventions to protect consumer health. Specifically, these interventions demonstrate knowledge, implement employee health controls, control hands as a vehicle of contamination, set time and temperature parameters for controlling pathogens, and govern the consumer advisory.
* AFFECTED PARTIES: Eating establishments licensed in the State of Maine by the Health Inspection Program and food establishments licensed in the State of Maine by the Department of Agriculture, Conservation and Forestry.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 201.**  **HEALTH INSPECTION PROGRAM ADMINISTRATION RULE**

* STATUTORY AUTHORITY: 22 MRS §2496
* PURPOSE OF THE RULE: To describe application, licensing, and inspection requirements, licensing fees and enforcement sanctions for Maine eating establishments, lodging places, campgrounds, sporting/recreational camps, youth camps, public pools and spas regulated by the Health Inspection Program.
* AFFECTED PARTIES: Owners of eating establishments, lodging places, recreational camps, youth camps, campgrounds, public pools and spas in the State of Maine
* INFORMATION ON ANY PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None anticipated

**CHAPTER 202. RULES RELATING TO PUBLIC SWIMMING POOLS AND SPAS**

* STATUTORY AUTHORITY: 22 MRS §§2496 and 2664
* PURPOSE OF THE RULE: To protect public health and provide specific compliance and enforcement requirements regarding public pools and spas licensed by the Health Inspection Program.
* AFFECTED PARTIES: Owners/operators of public swimming pools and spas.
* INFORMATION ON ANY PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 203: RULES RELATING TO THE SALE AND DELIVERY OF TOBACCO PRODUCTS IN MAINE**

* STATUTORY AUTHORITY: 22 MRS Ch. 262-A; 22 MRS §42(1)
* PURPOSE OF THE RULE: To regulate the licensing of retail tobacco sales.
* AFFECTED PARTIES: Licensed tobacco retailers.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 205. RULES RELATING TO CAMPGROUNDS**

* STATUTORY AUTHORITY: 22 MRS § 2496
* PURPOSE OF THE RULE: To clarify definitions of recreational vehicle classification, event camping and the definitions of temporary campground, and agricultural fair campground.
* AFFECTED PARTIES: Public, fairs, event promoters, and owners/operators of campgrounds.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 206.**  **RULES RELATING TO LODGING ESTABLISHMENTS**

STATUTORY AUTHORITY: 22 MRS §2496

* PURPOSE OF THE RULE: To protect public health by regulating and licensing lodging places. Amendments will update requirements and clarify lodging definitions.
* AFFECTED PARTIES: Lodging places licensed by the Health Inspection Program in the State of Maine.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 208. RULES RELATING TO BOYS, GIRLS, BOYS AND GIRLS, DAY CAMPS AND PRIMITIVE AND TRIP CAMPING**

* STATUTORY AUTHORITY: 22 MRS §2496
* PURPOSE OF THE RULE: To clarify requirements for youth camps licensed by the Health Inspection Program, in order to ensure greater protection of health and safety.
* AFFECTED PARTIES: Youth camp counselors and staff, children who attend summer youth camps.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 209. RULES RELATING TO BODY PIERCING**

* STATUTORY AUTHORITY: 32 MRS §4326.
* PURPOSE OF THE RULE: To provide health and safety standards for persons engaged in the practice of body piercing and licensed by the Health Inspection Program.
* AFFECTED PARTIES: Body piercers and the public who receive body piercings.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 210. RULES RELATING TO TATTOOING**

* STATUTORY AUTHORITY: 32 MRS §4251
* PURPOSE OF THE RULE: To provide health and safety standards for persons engaged in the practice of tattooing.
* AFFECTED PARTIES: Tattoo artists and the public who receive tattoos.
* INFORMATION ON ANY PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 211. RULES RELATING TO MICROPIGMENTATION PRACTITIONERS**

* STATUTORY AUTHORITY: 32 MRS §4313
* PURPOSE OF THE RULE: To provide health and safety standards for persons engaged in the practice of micropigmentation.
* AFFECTED PARTIES: Micropigmentation practitioners and the public who receive micropigmentation.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 212. RULES FOR THE PRACTICE OF ELECTROLOGY**

* STATUTORY AUTHORITY: 32 MRS §1242.
* PURPOSE OF THE RULE: To provide health and safety standards for persons engaged in the practice of electrology.
* AFFECTED PARTIES: Electrologists and the public who receive electrology.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 214. MASS GATHERING RULES AND INFORMATIONAL GUIDELINES**

* STATUTORY AUTHORITY: 22 MRS §1602
* PURPOSE OF THE RULE: To describe the requirements for applying for permits, determining event populations, and properly managing mass gatherings in Maine.
* AFFECTED PARTIES: Public, municipalities, and event promoters.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None anticipated

**CHAPTER 220. RULES RELATING TO RADIATION PROTECTION**

* STATUTORY AUTHORITY: 22 MRS §674
* PURPOSE OF THE RULE: To protect public health and administer both State and federal rules required under an agreement with the U.S. Nuclear Regulatory Commission to regulate radioactive materials.
* AFFECTED PARTIES: All persons who receive, possess, use, transfer, own or acquire any source of radiation in Maine.
* CONSENSUS-BASED RULE DEVELOPMENT: None planned
* SCHEDULE FOR ADOPTION: 2024-2025

**PART A, GENERAL PROVISIONS**

* PURPOSE OF THE RULE: To protect public health by establishing provisions to control hazards associated with use of radiation.
* AFFECTED PARTIES: All users of ionizing radiation.
* SCHEDULE FOR ADOPTION: 2024-2025

**PART B, ENFORCEMENT ACTIONS, PROCEDURES AND CIVIL PENALTIES**

* PURPOSE OF THE RULE: To establish administrative and civil remedies to address violations of the rule.
* AFFECTED PARTIES: All users of radioactive material.
* SCHEDULE FOR ADOPTION: 2024-2025

**PART C, LICENSING OF RADIOACTIVE MATERIAL**

* PURPOSE OF THE RULE: To establish protocols, fees and procedures for the licensing of use of radioactive material.
* AFFECTED PARTIES: All users of radioactive material.
* SCHEDULE FOR ADOPTION: 2024-2025

**PART D, STANDARDS FOR PROTECTION AGAINST RADIATION**

* PURPOSE OF THE RULE: To administer specific state and federal standards and protect public health from radiation.
* AFFECTED PARTIES: All users of radioactive material.
* SCHEDULE FOR ADOPTION: 2024-2025

**PART E, RADIATION SAFETY REQUIREMENTS FOR INDUSTRIAL RADIOGRAPHIC OPERATIONS.**

* PURPOSE of the rule: To protect public health by administering standards for the licensing of industrial radiographic operations.
* AFFECTED PARTIES: All industrial radiography licensees.
* SCHEDULE FOR ADOPTION: 2024-2025

**PART F, X-RAYS IN THE HEALING ARTS**

* PURPOSE OF THE RULE: To protect public health by administering standards for licensure of anyone administering x-rays.
* AFFECTED PARTIES: All users of x-ray machines.
* SCHEDULE FOR ADOPTION: 2024-2025

**PART G, USE OF RADIONUCLIDES IN THE HEALING ARTS**

* PURPOSE OF THE RULE: To protect public health by administering standards for use of radionuclides in the healing arts.
* AFFECTED PARTIES: All medical users of radioactive material.
* SCHEDULE FOR ADOPTION: 2024-2025

**PART H, RADIATION SAFETY REQUIREMENTS FOR ANALYTICAL AND OTHER INDUSTRIAL RADIATION MACHINES**

* PURPOSE OF THE RULE: To protect public health by administering standards for analytical and other industrial radiation machines.
* AFFECTED PARTIES: All industrial users of x-ray machines.
* SCHEDULE FOR ADOPTION: 2024-2025

**PART I, RADIATION SAFETY REQUIREMENTS FOR PARTICLE ACCELERATORS**

* PURPOSE OF THE RULE: To protect public health by administering standards for use of particle accelerators.
* AFFECTED PARTIES: All industrial users of particle accelerators.
* SCHEDULE FOR ADOPTION: 2024-2025

**PART J, NOTICES, INSTRUCTIONS AND REPORTS TO WORKERS; INSPECTIONS**

* PURPOSE OF THE RULE: To protect public health by administering standards over any employers using radiation.
* AFFECTED PARTIES: All employers using radiation.
* SCHEDULE FOR ADOPTION: 2024-2025

**PART K, RADIATION SAFETY REQUIREMENTS FOR WIRELINE SERVICE OPERATIONS AND SUBSURFACE TRACER STUDIES**

* PURPOSE OF THE RULE: To protect public health by administering standards over any employers using radiation.
* AFFECTED PARTIES: All persons using sources of radiation for wireline service operations including mineral logging, radioactive markers, and subsurface tracer studies.
* SCHEDULE FOR ADOPTION: 2024-2025

**PART L, TRANSPORTATION OF RADIOACTIVE MATERIAL**

* PURPOSE OF THE RULE: To protect public health by administering standards over the transportation of radioactive material.
* AFFECTED PARTIES: All shippers of radioactive materials.
* SCHEDULE FOR ADOPTION: 2024-2025

**PART N, REGULATION AND LICENSING OF TECHNOLOGICALLY ENHANCED NATURALLY OCCURRING RADIOACTIVE MATERIALS**

* PURPOSE OF THE RULE: To protect public health through regulating and licensing the use of naturally occurring radioactive materials.
* AFFECTED PARTIES: All users of naturally occurring radioactive elements.
* SCHEDULE FOR ADOPTION: 2024-2025

**PART S, PHYSICAL PROTECTION OF CATEGORY 1 AND CATEGORY 2 QUANTITIES OF RADIOACTIVE MATERIAL**

* PURPOSE OF THE RULE: To establish security requirements for the use and transport of the most risk-significant quantities of radioactive materials, as well as shipments of small amounts of irradiated reactor fuel.
* AFFECTED PARTIES: All users of radioactive materials
* SCHEDULE FOR ADOPTION: 2024-2025

**PART X, THERAPEUTIC X-RAY MACHINES**

* PURPOSE OF THE RULE: To protect public health by administering standards for medical users of therapeutic x-ray machines.
* AFFECTED PARTIES: All medical users of therapeutic x-ray machines.
* SCHEDULE FOR ADOPTION: 2024-2025

**CHAPTER 221. SELECTION OF VOLUNTEER PERSONNEL TO ESTABLISH/ MAINTAIN RADIATION MONITORING PROGRAM**

* STATUTORY AUTHORITY: 22 MRS §674
* PURPOSE OF THE RULE: To establish and maintain a continuous airborne radiation monitoring system consisting of volunteers who are required to report their findings to the Radiation Control Program.
* AFFECTED PARTIES: Volunteers of airborne radiation
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None anticipated

**CHAPTER 222. RULES RE: PUBLIC NOTIFICATION OF RADIOACTIVE EMISSIONS FROM NUCLEAR POWER PLANT**

* STATUTORY AUTHORITY: 22 MRS §674 and 35-A MRS §4332
* PURPOSE OF THE RULE: To govern the public notice requirements in the event of a radioactive release or specific safety-related events at any nuclear power plant.
* AFFECTED PARTIES: DHHS Staff, MEMA
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None anticipated

**CHAPTER 223. RULES RELATING TO TANNING FACILITIES**

* STATUTORY AUTHORITY: 22 MRS §674
* PURPOSE OF THE RULE: To protect public health by administering standards to regulate tanning and other changes in the industry.
* AFFECTED PARTIES: Tanning facility owners and users of tanning facilities.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None anticipated

**CHAPTER 224. AIR AND WATER RADON SERVICE PROVIDER REGISTRATION RULES**

* STATUTORY AUTHORITY: 22 MRS §781
* PURPOSE OF THE RULE: To protect public health by administering standards for individuals/companies providing radon testing/mitigation services in Maine and describe testing and mitigation requirements for property owners of multi-family apartment buildings.
* AFFECTED PARTIES: Radon Service Providers and the general public that contract such services, as well as property owners/landlords of multi-family residential properties.
* CONSENSUS-BASED RULE DEVELOPMENT: None planned.
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 225. RULES RELATING TO THE LICENSING OF SUPPLIERS OF COMPRESSED AIR USED IN SELF-CONTAINED BREATHING APPARATUS**

* STATUTORY AUTHORITY: 22 MRS §1585
* PURPOSE OF THE RULE: To provide standards for the accurate testing of air and provide for third party testing.
* AFFECTED PARTIES: Dive shops, fire departments, other suppliers of compressed air.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None anticipated

**CHAPTER 226. RULES RELATING TO CROSS CONNECTIONS**

* STATUTORY AUTHORITY: 22 MRS §2612(5)
* PURPOSE OF THE RULE: To regulate, control, and prevent the contamination of drinking water by the backflow of water or other liquids, mixtures or substances into the distribution pipes of a public water system from a source or sources other than its intended source.
* AFFECTED PARTIES: All public drinking water systems serving greater than 1,000 people or have an industrial account.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None anticipated

**CHAPTER 227. RULES RELATING TO LICENSING AND INSPECTION OF CREMATORIA**

* STATUTORY AUTHORITY: 32 MRS §1405
* PURPOSE OF THE RULE: To license crematoria to ensure the proper cremation of bodies and disposal of ashes.
* AFFECTED PARTIES: Owners/operators of crematoria.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 230. RULES RELATING TO DRINKING WATER STATE REVOLVING LOAN FUND**

* STATUTORY AUTHORITY: 30-A MRS §§5959(1) and 6006-B
* PURPOSE OF THE RULE: To implement federal rules for administering the Drinking Water State Revolving Loan Fund to public water systems, establish a prioritization system for distributing funds, outline the process for certifying project eligibility, and administer the environmental review process.
* AFFECTED PARTIES: All community public drinking water systems and non-community non-profit public drinking water systems.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None anticipated

**CHAPTER 231. RULES RELATING TO DRINKING WATER**

* STATUTORY AUTHORITY: 22 MRS §§2605, 2611-2613; and 2618.
* PURPOSE OF THE RULE: To protect residents and visitors of Maine in their consumption of drinking water. This rule administers the federal Safe Drinking Water Act and the Maine Water for Human Consumption Act for all public water systems in Maine.
* AFFECTED PARTIES: All public water systems regulated by the Maine CDC Drinking Water Program.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 232. WELL DRILLERS AND PUMP INSTALLERS RULES**

* STATUTORY AUTHORITY: 32 MRS §4700-H
* PURPOSE OF THE RULE: To administer examination and license requirements for well drilling, pump installation and hydro-fracturing, as well as prescribe a code of conduct for well drillers and pump installers
* AFFECTED PARTIES: Well drillers and pump installers registered in the State of Maine, as well as public water systems with groundwater sources.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 234. LEAD TESTING IN SCHOOL DRINKING WATER RULE**

* STATUTORY AUTHORITY: 22 MRS §2604-B(3); 30-A MRS §6006-F(3)
* PURPOSE: This new rule will establish testing protocols, lead mitigation/abatement guidance measures from Maine CDC and public notification requirements for lead testing in all Maine schools.
* AFFECTED PARTIES: School administrators, municipalities/water districts, Maine CDC Drinking Water Program
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None anticipated

**CHAPTER 235. RULES RELATING TO BULK WATER**

* STATUTORY AUTHORITY: 22 MRS §2660-A
* PURPOSE OF THE RULE: To regulate the water quality standards associated with transport of bulk water.
* AFFECTED PARTIES: Bottled water suppliers, water haulers and vendors.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None anticipated

**CHAPTER 240. RULES FOR APPOINTMENT AND ADMINISTRATION OF LOCAL PLUMBING INSPECTORS**

* STATUTORY AUTHORITY: 22 MRS §§ 42(3), 42(1)(3-A), 42(3-B); 30-A MRS §§ 4211(5), 4212(1), 4215(4), 4221, and 4451.
* PURPOSE OF THE RULE: To refine and clarify established procedures for the eligibility requirements, appointment, and duties of local plumbing inspectors.
* AFFECTED PARTIES: Persons certified as Local Plumbing Inspectors, and those seeking such certification.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None anticipated

**CHAPTER 241. MAINE SUBSURFACE WASTEWATER DISPOSAL RULES**

* STATUTORY AUTHORITY: 22 MRS §§ 42(3), 42(3-A), 42(3-B); 30-A MRS §§4211(5), 4215(4), 4211 & 4452; 22-A MRS §205(2).
* PURPOSE OF THE RULE: To regulate the design, permitting, and installation of subsurface wastewater disposal systems as necessary, and to correct mistakes from the last rulemaking.
* AFFECTED PARTIES: Any person, establishment, and/or institution using an on-site subsurface wastewater disposal system for sanitary wastewater.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 242. RULES FOR CONVERSION OF SEASONAL DWELLING UNITS INTO YEAR-ROUND RESIDENCES IN THE SHORELAND ZONE (Repealed)**

**CHAPTER 243. MINIMUM LOT SIZE LAW VARIANCE RULES**

* STATUTORY AUTHORITY: 12 MRS §4807
* PURPOSE OF THE RULE: To update and clarify established provisions for approval of subsurface wastewater disposal systems on lots with less than 20,000 square feet and 100 feet of frontage if the lot abuts a water body.
* AFFECTED PARTIES: Anyone wishing to develop a lot meeting the exemption requirements of 12 MRS §4807.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None anticipated

**CHAPTER 245. MAINE RULES FOR SITE EVALUATORS OF SUBSURFACE WASTEWATER DISPOSAL SYSTEMS**

* STATUTORY AUTHORITY: 22 MRS §42
* PURPOSE OF THE RULE: To update established standards of professional conduct and practice related to the examination and licensing of Site Evaluators.
* AFFECTED PARTIES: Approximately 330 individuals are licensed to determine soil suitability and prepare designs for subsurface wastewater disposal systems handling less than 2,000 gallons per day of wastewater.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None anticipated.

**CHAPTER 249. RULES RELATING TO SMOKING IN PUBLIC PLACES**

* STATUTORY AUTHORITY: 22 MRS §42
* PURPOSE OF THE RULE: These rules delineate the requirements for smoking in public places.
* AFFECTED PARTIES: Public, employees, owners/operators of restaurants.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 250. RULES RELATING TO SMOKING IN THE WORKPLACE**

* STATUTORY AUTHORITY: 22 MRS §1580-A
* PURPOSE OF THE RULE: This rule defines where smoking in the workplace is allowed, addresses outdoor smoking areas and operation of childcare/day care related to smoking. Proposed changes would be to upgrade and clarify rules as related to non-smoking areas in restaurants, and to increase the fee to $50 annually.
* AFFECTED PARTIES: Public, employees, owners/operators of restaurants.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None anticipated

**CHAPTER 251. RULES GOVERNING RABIES MANAGEMENT**

* STATUTORY AUTHORITY: 22 MRS §1313(1)
* PURPOSE OF THE RULE: To ensure consistency between State procedures and national guidelines for the prevention and control of rabies in humans and among domestic animals.
* AFFECTED PARTIES: Human and animal health professionals, members of the public
* CONSENSUS-BASED RULE DEVELOPMENT: None planned
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 252. RULES GOVERNING THE IMPLEMENTATION OF HYPODERMIC APPARATUS EXCHANGE PROGRAMS**

* STATUTORY AUTHORITY: 22 MRS §1341(2)
* PURPOSE OF THE RULE: To establish requirements for hypodermic apparatus exchange programs and for program certification requirements.
* AFFECTED PARTIES: People who share needles, people who administer certified needle exchange programs
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 253. MAINE CHRONIC DISEASE SURVEILLANCE DATA QUALITY AND FOLLOW-UP STUDY RULES**

* STATUTORY AUTHORITY: 22 MRS §1692-B
* PURPOSE OF THE RULE: This rule governs the operation of Maine chronic disease surveillance methods of data quality assurance and follow-up investigations. They establish the objectives, responsibilities and duties pertinent to the validation and operation of Maine chronic disease surveillance programs and set forth guidelines for the operation, conduct, and implementation of follow-up investigations.
* AFFECTED PARTIES: Hospitals, physicians, institutions, and/or State departments
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2023-2024

**CHAPTER 254. OCCUPATIONAL DISEASE REPORTING RULES AND REGULATIONS**

* STATUTORY AUTHORITY: 22 MRS §1491
* PURPOSE OF THE RULE: To set forth criteria for submission of patient information by hospitals, and medical personnel, and establish the objectives, responsibilities, and duties pertinent to the operation of Maine's Occupational Disease Reporting Program.
* AFFECTED PARTIES: Health care providers, health care facilities, medical laboratories.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None anticipated

**CHAPTER 255. CANCER INCIDENCE REGISTRY REGULATIONS**

* STATUTORY BASIS: 22 MRS §1402
* PURPOSE OF THE RULE: To protect public health by establishing standards for reporting on all persons diagnosed with cancer living in Maine and to tabulate and summarize patient data to determine the frequency and incidence rates. Changes would include updating the Maine Cancer Registry Rules and Regulations reflect current cancer surveillance standards and revised definitions. These include, but are not limited to, required reporting procedures.
* AFFECTED PARTIES: Reporting sources (hospital registrars and others) and Registry Staff of hospitals, hospices, health care providers and facilities, medical laboratories and other related facilities and associated administrative personnel.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 257. SCHEDULE OF CHARGES OF THE DIAGNOSTIC LABORATORY OF DHHS**

* STATUTORY AUTHORITY: 22 MRS §565(3)
* PURPOSE OF THE RULE: To amend and revise charges as required by budgetary needs and by law.
* AFFECTED PARTIES: DHHS labs, programs and citizens served by DHHS labs.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 258. CONTROL OF NOTIFIABLE DISEASES AND CONDITIONS RULE**

* STATUTORY AUTHORITY**:** 22 MRS §802(3)
* PURPOSE: To establish requirements for: reporting and other surveillance methods for measuring the occurrence of communicable, occupational and environmental diseases and the potential for epidemics; designate and classify communicable, environmental and occupational diseases; investigate cases, epidemics and occurrences of communicable, environmental and occupational diseases; and establish procedures for the control, detection, prevention, and treatment of communicable, environmental and occupational diseases, including public immunization and contact notification programs.
* AFFECTED PARTIES: Physicians, physician’s assistants, and nurse practitioners; medical laboratories; healthcare facilities; healthcare administrators; health officers; veterinarians and veterinary medical laboratories
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 260. RABIES IMMUNIZATION REQUIREMENTS FOR DOG LICENSURE**

* STATUTORY AUTHORITY: 7 MRS §3922(3)
* PURPOSE OF THE RULE: To explain the requirements for rabies vaccination of puppies and dogs, as required for licensure. This rule is consistent with 7 MRS§ 3922(3) and with current veterinary practice and vaccine specifications.
* AFFECTED PARTIES: Municipalities, dog owners
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None anticipated

**CHAPTER 261. IMMUNIZATION REQUIREMENTS FOR SCHOOL CHILDREN**

* STATUTORY AUTHORITY: 20-A MRS §§6358(1), 6359(6)
* PURPOSE: To specify those diseases for which immunization is required and establish school record keeping and reporting requirements and procedures for the exclusion of nonimmunized children from school, and to establish medical exceptions to receiving vaccines or toxoids for each disease.
* AFFECTED PARTIES: School nurses, school age children and parents of school age children.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None anticipated

**CHAPTER 262. POST-SECONDARY SCHOOL IMMUNIZATIONS RULE**

* STATUTORY AUTHORITY: 22 MRS §6359(6)
* PURPOSE: This rule outlines the immunization requirements of post-secondary school students. It prescribes the dosage for required immunizations and defines responsibilities, exclusion periods, record keeping and reporting requirements for school officials.
* AFFECTED PARTIES: Post-secondary facilities and school health providers and their students, parents
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None anticipated

**CHAPTER 263.**  **MAINE COMPREHENSIVE AND LIMITED ENVIRONMENTAL LABORATORY ACCREDITATION RULE**

* STATUTORY AUTHORITY: 22 MRS §567(2)
* PURPOSE OF THE RULE: To establish quality assurance procedures for laboratory data received by the Department of Health and Human Services and the Department of Environmental Protection and establish procedures for the accreditation of labs by setting minimum criteria for lab operations, performance and administration.
* AFFECTED PARTIES: Drinking water labs performing analyses for samples collected in the State of Maine; Wastewater labs not exempted by 38 MRS §413, and other labs not permitted for exception by memo between DEP and DHHS.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None anticipated

**CHAPTER 264. IMMUNIZATIONS REQUIREMENTS FOR HEALTH CARE WORKERS**

* STATUTORY AUTHORITY: 22 MRS §802
* PURPOSE: To outlines the immunization requirements of employees of designated health care facilities, with prescribed dosages for required immunizations. This rule defines responsibilities, exclusion periods, record keeping and reporting requirements for officials of designated health care facilities.
* AFFECTED PARTIES: Hospitals and health care facilities and their employees who provide direct care to residents or patients of the facilities.
* CONSENSUS-BASED RULE DEVELOPMENT: None planned.
* SCHEDULE FOR ADOPTION: None anticipated

**CHAPTER 265. SUBSTANCE USE TESTING FOR THE WORKPLACE RULE**

* STATUTORY AUTHORITY: 26 MRS §687; 22 MRS §§ 42 and 565
* PURPOSE OF THE RULE: To establish the substances that employers in the State of Maine may test their employees for. The rule is intended to ensure that employees and applicants receive reliable and accurate testing, and that privacy rights are protected.
* AFFECTED PARTIES: Employers and programs requiring testing of employees and applicants for substances of use; workplace substance of use testing programs. Benefited parties—employees affected by such programs.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION:  None anticipated

**CHAPTER 266. CERTIFICATION STANDARDS FOR PERSONS CONDUCTING CHEMICAL ANALYSIS FOR DETECTION/IDENTIFICATION OF DRUGS**

* STATUTORY AUTHORITY: 17-A MRS §1112(1) and 22 MRS §42(1)
* PURPOSE OF THE RULE: This rule sets forth the technical qualifications necessary for an individual to be certified by the Department of Health and Human Services to detect and identify drugs. Included in the rule are criteria pertaining to necessary laboratory facilities and equipment, reference standards, record keeping, security and proficiency testing
* LISTING OF AFFECTED PARTIES: Chemists analyzing drugs; suspects in cases of alleged possession of drugs and/or Maine citizens, especially those involved either as suspects or victims in OUI situations.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION:  FY 2024-2025

**CHAPTER 267.** **CERTIFICATION STANDARDS FOR PERSONS CONDUCTING CHEMICAL ANALYSES OF BLOOD AND BREATH FOR THE PURPOSES OF DETERMINING THE BLOOD ALCOHOL LEVEL**

* STATUTORY AUTHORITY: 29-A MRS §2524(6) and 22 MRS §42(1)
* PURPOSE OF THE RULE: This rule establishes the qualifications necessary for an individual to be certified by the Department of Health and Human Services to analyze blood and breath samples for alcohol level. Included are criteria pertaining to proficiency testing, sample procedures, accuracy of analyses, reporting data and continuing certification.
* LISTING OF AFFECTED PARTIES: Law enforcement, general public
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR REPEAL: FY 2024-2025

**CHAPTER 269.** **RULES GOVERNING SELF-CONTAINED BREATH ALCOHOL TESTING EQUIPMENT**

* STATUTORY AUTHORITY: 29-A MRS §2524(6) and 22 MRS §42(1)
* PURPOSE OF THE RULE: This rule establishes procedures for self-contained breath alcohol testing equipment. All self-contained breath alcohol testing equipment must be approved by the U.S. Department of Transportation as stated in the Federal Register and the State of Maine, Department of Health and Human Services rule. Certain procedures are specified for calibration checks and use of self-contained breath alcohol testing equipment, including addition of dry gas standards.
* LISTING OF AFFECTED PARTIES: Law enforcement , labs and criminal defendants
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None Anticipated

**CHAPTER 270. SAMPLE COLLECTION AND DRUG TESTING RULE FOR SUSPECTED OPERATING UNDER THE INFLUENCE CASES**

* STATUTORY AUTHORITY: 29-A MRS §§1951, 2527
* PURPOSE OF THE RULE: This rule is set forth for law enforcement agencies and laboratories involved in testing of persons suspected of operating under the influence of intoxicating liquor or drugs. The rule is intended to ensure that subjects are afforded accurate and reliable testing, and that results of such testing will be in compliance with legal requirements for forensic purposes.
* LISTING OF AFFECTED PARTIES: Law enforcement agencies and laboratories involved in testing of persons suspected of operating under the influence of intoxicating liquor or drugs.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 272. CHILDREN WITH SPECIAL HEALTH NEEDS PROGRAM**

* STATUTORY AUTHORITY: 22 MRS §42 (1) and 2001
* PURPOSE: To enhance the provision of and access to comprehensive health services for children with special health care needs.
* AFFECTED PARTIES: Licensed health care providers and families.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 274.**  **IMMUNIZATION INFORMATION SYSTEM (IIS) RULES**

* STATUTORY AUTHORITY: 22 MRS §1064
* PURPOSE OF THE RULE: To explain the primary purpose of the immunization information system, which is to collect data related to vaccine administration and to promote effective and cost-efficient prevention of vaccine preventable diseases. The rule outlines confidentiality requirements and authorized user access.
* AFFECTED PARTIES: Immunization providers and other entities who have a contract or MOU with DHHS to participate in the vaccine distribution system, the immunization information system or to provide related support services.
* INFORMATION ON ANY PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: None planned
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 276.** **RULES GOVERNING INFLUENZA IMMUNIZING AGENT DISTRIBUTION REPORT**

* STATUTORY AUTHORITY: 22 MRS § 1065
* PURPOSE: This rule governed the implementation of the Influenza Immunizing Agent Distribution Reports required by a law change in the 122nd Legislature (LD 2106), to monitor supply and demand for influenza immunizing agents
* AFFECTED PARTIES: Influenza Immunizing Agent Manufacturers and Distributors
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: To be repealed in FY 2024-2025

**CHAPTER 279. RULES RELATING TO THE NEWBORN HEARING PROGRAM**

* STATUTORY AUTHORITY: 22 MRS §1686
* PURPOSE:To define reporting requirements, program functions and responsibilities regarding newborn hearing screening, diagnosis and intervention.
* AFFECTED PARTIES:Hospitals, health care providers and citizens of Maine.
* EMERGENCY RULES ADOPTED SINCE LAST AGENDA: None
* CONSENSUS-BASED RULE DEVELOPMENT: None planned
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 280. RULES RELATING TO THE MAINE BIRTH DEFECTS PROGRAM**

* STATUTORY AUTHORITY:22 MRS §8944
* PURPOSE OF THE RULE:To define reporting requirements, program functions and responsibilities regarding the Maine Birth Defects Program.
* AFFECTED PARTIES:Providers of health care licensed under Title 22 (Hospitals) and Title 32 (Health Professionals).
* EMERGENCY RULES ADOPTED SINCE LAST AGENDA: none
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 281. REGULATIONS FOR SPINAL SCREENING**

* STATUTORY AUTHORITY: 20-A MRS §6452
* PURPOSE OF THE RULE: To establish requirements for screening children in school settings to assess for spinal abnormalities, including frequency of screening and qualifications of screening personnel.
* AFFECTED PARTIES: School personnel (including school nurses or qualified physical education teachers), students and their families.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: Repeal planned for FY 2023-2024 (statute was repealed)

**CHAPTER 283. NEWBORN BLOODSPOT SCREENING RULE**

* STATUTORY AUTHORITY:22 MRS §1533(2)(G)
* PURPOSE:To ensure that all infants born in Maine are screened for causes of developmental disabilities and selected genetic conditions.
* AFFECTED PARTIES: Hospitals, health care providers and citizens of Maine.
* EMERGENCY RULES ADOPTED SINCE LAST AGENDA: None
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 286. WIC PROGRAM RULES**

* STATUTORY AUTHORITY: 22 MRS §§42 and 3107
* PURPOSE OF THE RULE: To describe the procedures and standards for WIC participants, local agencies and WIC-authorized vendors.
* AFFECTED PARTIES: WIC participants, local agencies and WIC authorized vendors.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION:  FY2024-2025

**CHAPTER 292. RULES RELATING TO THE LEAD POISONING CONTROL ACT**

* STATUTORY AUTHORITY: 22 MRS §1323
* PURPOSE OF THE RULE: To describe the requirements for property owners with environmental lead hazards identified by Department environmental lead investigations; set the responsibilities of licensed lead inspectors and risk assessors when conducting environmental lead investigations; and describe the information, including abatement orders, assessed to owners as a result of these investigations. This rule establishes the requirements for substitute dwellings used to relocate families living in rental units at the time an environmental lead hazard is identified and explains requirements for blood lead screening by health care providers and health care programs, including the requirements for approving health care providers, WIC and Head Start facilities to use in office blood lead testing devices and to report those results electronically to the Department.
* AFFECTED PARTIES: Landlords, tenants, health care facilities, health care providers, medical laboratories, and health care programs.
* INFORMATION ON ANY PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 293. LEAD POISONING PREVENTION FUND FEE RULES**

* STATUTORY AUTHORITY: 22 MRS §1322-F
* PURPOSE OF THE RULE: To identify the manufacturers subject to the fee, provide methods of fee calculation, establish a low quantity exemption, describe reporting and payment requirements and establish population blood lead surveillance criteria for when the rules will expire.
* AFFECTED PARTIES: Paint manufacturers and customers of paint in the State of Maine
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None anticipated

**CHAPTER 294. RULES GOVERNING QUALIFICATIONS OF LOCAL HEALTH OFFICERS**

* STATUTORY AUTHORITY: 22 MRS §451(2)
* PURPOSE: To develop rules to institute qualifications for local health officers
* AFFECTED PARTIES: Municipalities, local health officers
* INFORMATION ON ANY PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: 2024-2025

**CHAPTER 295.**  **DENTAL SERVICES DEVELOPMENT AND SUBSIDY PROGRAMS**

* STATUTORY AUTHORITY: 22 MRS §2127(7)
* PURPOSE OF THE RULE: To define the terms and conditions for the participation in, and receipt of funding for the Dental Services Development and Subsidy Programs as authorized and funded by 22 MRS §2127, and to address as needed statutory changes in use of funding. This rule addresses the requirements and conditions to which applicants for funds provided must respond in order to receive the funds.
* AFFECTED PARTIES: Eligible non-profit dental clinics
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None anticipated

**CHAPTER 296.** **"FILLINGS: THE CHOICES YOU HAVE - MERCURY AMALGAM AND OTHER FILLING MATERIALS"**

* STATUTORY AUTHORITY: 32 MRS §1094-C (Repealed)
* PURPOSE OF THE RULE: To provide a required brochure to reflect current scientific and public health information.
* AFFECTED PARTIES: Providers of clinical dental services offering restorative services
* INFORMATION ON ANY PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: None planned
* SCHEDULE FOR REPEAL: FY 2024-2025

**CHAPTER 297. DENTAL CARE ACCESS CREDIT PROGRAM RULE**

* STATUTORY AUTHORITY: 36 MRS 5219-DD(5)
* PURPOSE OF THE RULE: To establish the criteria for receiving the dental care access tax credit from the Maine CDC as well as describe the Maine CDC’s procedure in selecting the eligible dentists receiving the tax credit.
* AFFECTED PARTIES: Dentists licensed in Maine on or after January 1, 2009.
* CONSENSUS-BASED RULE DEVELOPMENT: None planned
* SCHEDULE FOR ADOPTION: None anticipated

**CHAPTER 298. RULES GOVERNING THE CERTIFICATION PROGRAM FOR PRIMARY CARE TAX CREDIT**

* STATUTORY AUTHORITY: 36 MRS §5219-LL(4)
* PURPOSE: To establish the criteria for receiving the primary care tax credit from the Maine CDC and describe the Department’s process in selecting the eligible primary care providers for the tax credit.
* AFFECTED PARTIES: MRS, Eligible primary care professionals working in underserved areas of Maine who apply for the income tax credit
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None anticipated

**CHAPTER 504. RULES FOR IMPLEMENTING THE 1985 AMENDMENTS TO THE MAINE MEDICAL COMPACT ACT AND MAINE OSTEOPATHIC STUDENT LOAN PROGRAM (PRIMARY CARE)**

* STATUTORY AUTHORITY: 20-A MRS §11804
* PURPOSE OF THE RULE: To describe the procedure that the Department will follow in determining areas that are underserved by primary care physicians.
* AFFECTED PARTIES: Primary care physicians and health care facilities
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR REPEAL: FY 2024-2025

**CHAPTER 506. RULES FOR IMPLEMENTING THE 1985 AMENDMENTS TO THE MAINE MEDICAL COMPACT ACT (DENTAL CARE)**

* STATUTORY AUTHORITY: 20-A MRS §11804-A(3).
* PURPOSE OF THE RULE: To describes the procedure that the Commissioner of Health and Human Services will follow in determining areas as underserved by dental care practitioners.
* AFFECTED PARTIES: Dental care practitioners and dental facilities
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None anticipated

**CHAPTER 508. SELECTION PROCESS FOR IDENTIFYING SITES FOR STATE LOAN REPAYMENT PROGRAM (SLRP)**

* STATUTORY AUTHORITY: 20-A MRS §12107
* PURPOSE OF THE RULE: To describe loan forgiveness through FAME for medical students pursuing qualifying medical specialties in medically underserved regions in Maine.
* AFFECTED PARTIES: Physicians and health care facilities
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2023-2024

**CHAPTER 509. RULES FOR DESIGNATING AREAS, POPULATIONS OR HOSPITALS AS UNDERSERVED BY SPECIALTY PHYSICIANS**

* STATUTORY AUTHORITY: 20-A MRS §§11810 and 12006
* PURPOSE OF THE RULE: Loan forgiveness through FAME for medical students pursuing qualifying medical specialties in medically underserved regions in Maine.
* AFFECTED PARTIES: Physicians and health care facilities
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 510. REGULATIONS GOVERNING THE RURAL MEDICAL ACCESS PROGRAM**

* STATUTORY AUTHORITY: 24-A MRS §6311
* PURPOSE OF THE RULE: Disbursement of financial incentives to promote the availability of physicians to deliver babies in underserved areas of the State
* AFFECTED PARTIES: Physicians and health care facilities
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None anticipated

**CHAPTER 512. COMMUNITY SCHOLARSHIP PROGRAM**

* STATUTORY AUTHORITY: 22 MRS §42
* PURPOSE OF THE RULE: To increase availability of primary health care practitioners in designated health, professional shortage areas through cooperative community, state and federal funding,
* AFFECTED PARTIES: Medical health care providers, consumers.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None anticipated

**CHAPTER 700. MATERNAL, FETAL AND INFANT MORTALITY REVIEW PANEL**

* STATUTORY AUTHORITY: 22 MRS §261; PL2019, Ch. 671
* PURPOSE: To identify the factors associated with maternal and infant deaths and make recommendations for system changes to improve services for women andinfants in the State. Amendments required to reflect changes to statute in 2017.
* SCHEDULE FOR ADOPTION: None planned
* AFFECTED PARTIES: Hospitals, healthcare providers, Women and infants
* EMERGENCY RULES ADOPTED SINCE LAST AGENDA: None
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 707.** **RULES RELATING TO THE NATIONAL BREAST AND CERVICAL CANCER EARLY DETECTION PROGRAM (NBCCEDP) IN MAINE**

* STATUTORY AUTHORITY: 22 MRS §42
* PURPOSE OF THE RULE: Add the group of women, age 40-49, who are not high risk or symptomatic, as fourth priority and move women, age 35-59, who are symptomatic, as fifth priority under Priority for Program Expenditures (Section 6.0). If Komen grant is not reissued, will need to change Sections 2.1.1.1 and 6.0 eliminating the 35-39-year old age group.
* AFFECTED PARTIES: Maine Equal Justice, women in the 35-39-year old age group, physicians and other health practitioners
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: 2024-2025

**CHAPTER 708. RULES RELATING TO THE BREAST AND CERVICAL CANCER PREVENTION AND TREATMENT ACT (BCCPTA) IN MAINE**

* STATUTORY AUTHORITY: 22 MRS §42
* PURPOSE OF THE RULE: These rules are created to implement the requirements of the Breast and Cervical Cancer Prevention and Treatment Act, which expand MaineCare full benefits to certain eligible women who are diagnosed with breast or cervical cancer or a pre-cancerous condition. These rules are necessary to process enrollment applications received by the MBCHP and to establish protocol in determining eligibility to the treatment act program.
* AFFECTED PARTIES: Participants in the Program and physicians and other health care providers.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 709. CRITICAL CONGENITAL HEART DISEASE SCREENING**

* STATUTORY BASIS: 22 MRS §1532; 22 MRS §42
* PURPOSE : To define screening and reporting requirements, program functions and responsibilities regarding screening for critical congenital heart disease.
* AFFECTED PARTIES: Hospitals, healthcare providers, and parents of newborns.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 720. RULES GOVERNING THE IMPLEMENTATION OF EXPEDITED PARTNER THERAPY**

* STATUTORY AUTHORITY: 22 MRS §1242(5)
* PURPOSE: To implement Expedited Partner Therapy (EPT), which facilitates the treatment and prevention of sexually transmitted infections by prescribing, dispensing, furnishing, or otherwise providing prescription antibiotic drugs to the sexual partner(s) of persons clinically diagnosed with sexually transmitted infections without physical examination of the partner(s).
* AFFECTED PARTIES: Individuals, organizations providing screening and treatment of individuals with sexually transmitted infections.
* CONSENSUS-BASED RULE DEVELOPMENT:  None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**10-146 CMR**

**CHAPTER 1**. **TRANSPORTATION AND FINAL DISPOSITION OF DEAD BODIES**

* STATUTORY AUTHORITY: 22 MRS §§2843 and 2846
* PURPOSE: To set the responsibilities of municipal clerks, funeral directors and authorized persons for transportation and final disposition of dead bodies in Maine.
* LISTING OF AFFECTED PARTIES: General public, municipal clerks, funeral directors, crematories and cemetarians
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 2. AMENDMENT OF VITAL RECORDS**

* STATUTORY AUTHORITY: 22 MRS §§2705, 2761, 2765 -67, 2768(5), 2769(5)
* PURPOSE: To govern the responsibilities for correcting or completing data on vital records.
* LISTING OF AFFECTED PARTIES: Municipal clerks and the general public.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 3. EVIDENCE OF LEGITIMATION**

* STATUTORY AUTHORITY: 22 MRS Ch. 703; 22 MRS §42
* PURPOSE: To govern the requirements for new birth certificate after legitimation.
* LISTING OF AFFECTED PARTIES: Municipal clerks, DHHS, and the general public.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 4. PUBLIC ACCESS TO VITAL RECORDS**

* STATUTORY AUTHORITY: 22 MRS Ch. 701; 22 MRS §42; 22 MRS §2706 sub-§5-A
* PURPOSE: To explain the responsibilities of public access to Vital Records.
* LISTING OF AFFECTED PARTIES: General public and hospitals licensed under chapter 405 or a health care practitioner as defined in section 1711-C, subsection 1, paragraph F (PL 2023 c. 110)
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 5. MEDICAL CERTIFICATION OF CAUSE OF DEATH**

* STATUTORY AUTHORITY: 22 MRS §§42, 2842-A, 2847
* PURPOSE: This rule clarifies procedures for completing medical certification and registration of death records and fetal death records.
* LISTING OF AFFECTED PARTIES: Physicians, general public, municipal clerks and medical certifiers
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 6: MARRIAGE LICENSE AND REGISTRATION**

* STATUTORY AUTHORITY: 19-A MRS Chapter 23 and 22 MRS §42
* PURPOSE: To describe the responsibilities for the Department’s issuance of a marriage license and procedures for applying for marriage intentions, issuing a marriage license, filing cautions, who may officiate, as well as the methods marriages may be solemnized.
* LISTING OF AFFECTED PARTIES: Municipal clerks and the general public.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 7. VITAL RECORDS FEES**

* STATUTORY AUTHORITY: 22-A MRS §210
* PURPOSE: To set the cost applied to search, issue, or apply processes to vital records.
* LISTING OF AFFECTED PARTIES: DHHS and the general public.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 9.** **DELAYED BIRTH REGISTRATION**

* STATUTORY AUTHORITY: 22 MRS §§42 and 2764
* PURPOSE: Regulations governing responsibilities for filing a delayed record of birth.
* LISTING OF AFFECTED PARTIES: Hospitals, physicians, municipal clerks
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None anticipated

**CHAPTER 10**: **BIRTH REGISTRATION**

* STATUTORY AUTHORITY: 22 MRS §§2706(8), 2761, 2761-B(6) - §2763
* PURPOSE: To govern the registration of live births in Maine.
* LISTING OF AFFECTED PARTIES: Hospitals, physicians, municipal clerks
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 11.** **VITAL STATISTICS ADMINISTRATION**

* STATUTORY AUTHORITY: 22 MRS Ch. 701, 22 MRS §42
* PURPOSE: To describe the responsibilities for registration, collection, preservation, amendment, and certification of vital records; the collection of other reports required; and activities including the tabulation, analysis, publication, and dissemination of vital statistics.
* LISTING OF AFFECTED PARTIES: DHHS, municipal clerks, and general public.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 12.** **ADULT ADOPTEES ACCESS TO ORIGINAL BIRTH RECORD**

* STATUTORY AUTHORITY: 22 MRS §2768(5)
* PURPOSE: To establish data elements required in the contact preference form, medical history form and application form and to establish procedures for the Department issuing copies of original sealed birth records to adult adoptees.
* LISTING OF AFFECTED PARTIES: Adult adoptees.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None anticipated

**CHAPTER 13.** **STATE SHARE OF VITAL RECORDS FEE**

* STATUTORY AUTHORITY: 22 MRS §263
* PURPOSE: To allocate funds from increased municipal fees as revenue for program operating expenses for the Maine CDC Office of Data, Research and Vital Statistics
* LISTING OF AFFECTED PARTIES: Maine Municipalities
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER 15. DEATH WITH DIGNITY REPORTING RULE**

* STATUTORY AUTHORITY: 22 MRS §2140 (17)
* PURPOSE: This new rule will describe what medical providers must report to the Department’s Maine CDC, as well as what the Department will maintain for records, when a qualified patient with a terminal disease requests a lethal dose of medication to end their life.
* LISTING OF AFFECTED PARTIES: Providers who prescribe lethal doses of medication; consulting physicians, qualified patients.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None anticipated

**CHAPTER 16. GENDER MARKER ON BIRTH RECORD RULE**

* STATUTORY AUTHORITY: 22 MRS §2761
* PURPOSE: This new rule will provide administrative processes to designate X on birth records and issue a new record after changes are requested to the assigned gender marker and to change the first and middle name concurrent with gender marker change, through the Maine CDC Office of Data, Research and Vital Statistics.
* LISTING OF AFFECTED PARTIES: Maine citizens interested in receiving a new birth record that reflects their gender identity
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None anticipated

**10-148**

**CHAPTER 100 AIDS DRUG REIMBURSEMENT PROGRAM**

* STATUTORY AUTHORITY: 5 MRS §19205
* PURPOSE:To govern the operation of the Maine AIDS Drug Assistance Program
* AFFECTED PARTIES:People living with HIV, Physicians, Physician’s Assistants, Nurse Practitioners
* CONSENSUS-BASED RULE DEVELOPMENT: None planned
* SCHEDULE FOR ADOPTION: FY 2024-2025

**90-429**

**BOARD OF LICENSURE OF WATER TREATMENT PLANT OPERATORS**

**CHAPTER 1: RULES RELATING TO LICENSURE OF WATER TREATMENT AND DISTRIBUTION OPERATORS OF PUBLIC WATER SYSTEMS**

* STATUTORY AUTHORITY: 22 MRS §2628
* PURPOSE OF THE RULE: To administer licensing requirements for water treatment operators, establish classifications, set license fees and outline complaint procedures.
* AFFECTED PARTIES: All community and non-transient public water systems, which are required by federal law to designate licensed operators; any transient public water systems specifically required by the Drinking Water Program to obtain a licensed water operator; and all water treatment operators doing business in the State of Maine.
* CONSENSUS-BASED RULE DEVELOPMENT: None planned.
* SCHEDULE FOR ADOPTION: FY 2024-2025

**95-659**

**CHAPTER 248. LIST OF VACCINES TO BE PROVIDED BY THE UNIVERSAL CHILDHOOD IMMUNIZATION PROGRAM.**

* STATUTORY BASIS: 22 MRS §1066(11)
* PURPOSE OF THE RULE: To allow the Board, after it conducts a public hearing, to consider which vaccines should be covered by the Program, to vote to either maintain the current list of vaccines or amend the list.   The governing statute, 22 MRS §1066, requires the Board to review the vaccines covered by the Program on an annual basis.
* AFFECTED PARTIES: Physicians and other healthcare practitioners
* CONSENSUS-BASED RULE DEVELOPMENT: None planned
* SCHEDULE FOR ADOPTION: None anticipated

**10-144**

**CHAPTER 730 INTERAGENCY REPORTING OF CANCER REGISTRY AND VITAL STATISTICS DATA**

* STATUTORY AUTHORITY: 22 MRS § 8715-A
* PURPOSE: To establish requirements related to reporting data from the cancer-incidence registry established pursuant to 22 MRS § 1404 and data related to the registration of vital statistics, pursuant to 22 MRS § 2701
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None anticipated

**NEW RULES ANTICIPATED-MAINE CDC**

**10-144**

**CHAPTER XXX. BODY ARTIST RULE**

* STATUTORY AUTHORITY: 32 MRS §4313
* PURPOSE OF THE RULE: To provide health and safety standards for persons engaged in the practice of tattooing, body piercing, electrology and micropigmentation.
* AFFECTED PARTIES: Body artist practitioners and the public who receive tattooing, electrology and micropigmentation.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**10-144**

**CHAPTER XXX. SPORTING AND RECREATIONAL CAMP RULE**

STATUTORY AUTHORITY: 22 MRS §2492

* PURPOSE OF THE RULE: To protect public health by regulating and licensing sporting and recreational camps.
* AFFECTED PARTIES: Lodging places licensed by the Health Inspection Program in the State of Maine.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**10-144**

**CHAPTER XXX** **HIV/AIDS ASSISTANCE**

* STATUTORY AUTHORITY: 5 MRS §19205, 22 MRS §42
* PURPOSE: This new rule will set forth the eligibility requirements and govern the operation of HIV/AIDS Assistance granted through the HIV Care Program.
* AFFECTED PARTIES: People living with HIV/AIDS
* CONSENSUS-BASED RULE DEVELOPMENT: None planned
* SCHEDULE FOR ADOPTION: FY 2023-2024

**10-144**

**CHAPTER XXX UNIFORM EMERGENCY VOLUNTEER HEALTH PRACTITIONERS RULE**

* STATUTORY AUTHORITY: 37-B MRS §949-I
* PURPOSE OF THE RULE: To implement statute that establishes a registry of volunteer health practitioners who may provide health services subject to an emergency proclamation.
* AFFECTED PARTIES: Health care practitioners, Maine Emergency Management Agency
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: None anticipated

**CHAPTER XXX AGING AND DISABILITY MORTALITY AND SERIOUS INJURY REVIEW PANEL RULE**

* STATUTORY AUTHORITY: 22 MRSA §264
* PURPOSE: To implement Maine’s Aging and Disability Mortality and Serious Injury Review Panel and establish a rule for collecting information and data, selecting and setting any limits on the number of terms for the members of the panel, managing and avoiding conflicts of interest of members, collecting and using individually identifiable health information and conducting reviews.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER XXX MAINE CHILDRENS CANCER FUND RULE**

* STATUTORY AUTHORITY: 22 MRS § 1409
* PURPOSE: This rule describes the eligibility and application requirements and the method for distributing funds collected from Maine income tax contributions and other sources deposited into Maine Children's Cancer Research Fund, the non-lapsing fund established to support children's cancer research provided by research facilities in Maine that operate children's cancer programs.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated
* SCHEDULE FOR ADOPTION: FY 2024-2025

**CHAPTER XXX COMMUNITY-BASED VIOLENCE INTERVENTION GRANT PROGRAM RULE**

* STATUTORY AUTHORITY: 22 MRS § 1427
* PURPOSE: This rule implements part FFFF of PL 2023, c. 643, establishing parameters necessary for administering the grant program, including grant application procedures, criteria for determining the amount and duration of the grants and reporting requirements for organizations that receive grants.
* CONSENSUS-BASED RULE DEVELOPMENT: Yes
* SCHEDULE FOR ADOPTION: FY 2024-2025

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AGENCY UMBRELLA-UNIT NUMBER: 10-144, 10-148, and 14-472

AGENCY NAME: Office of Child and Family Services, Division of Child Welfare

**CONTACT PERSON:** Brieanna Gutierrez, Communication and Compliance Manager, Office of Child and Family Services, #11 State House Station, 2 Anthony Avenue, Augusta, ME 04333-0011. Telephone: (207) 626-8670. E-mail: [brieanna.gutierrez@maine.gov](mailto:brieanna.gutierrez@maine.gov)

EXPECTED 2024-2025 RULE-MAKING ACTIVITY: List of all rules agency expects to propose between now and October, 2025.

**10-144  
CHAPTER 2:** Community Services Block Grant Program

* STATUTORY AUTHORITY: Title 22 MRS, Chapter 1477
* PURPOSE: These rules provide consistent statewide guidelines for the use of federal funds appropriated under the Community Services Block Grant Act of 1981, including funding and program requirements. These rules ensure consistency with the Community Opportunities, Accountability, and Training and Educational Services Human Services Reauthorization Act of 1998 (P.L. 105-285).
* PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: Stakeholders will be consulted.
* SCHEDULE FOR ADOPTION: FY 2025.
* AFFECTED PARTIES: Community Action Agencies that receive and distribute CSBG funding and individuals who receive support via these agencies.

**10-148**

**CHAPTER 6:** Child Care Subsidy Program Rules\* (\*Planned name change to Child Care Affordability Program Rules)

* STATUTORY AUTHORITY: Title 22 MRS, Chapter 1052-A
* PURPOSE: These rules establish, define, and clarify the primary responsibilities and processes for the planning and administration of child care subsidies funded with the Child Care Development Fund. The Child Care and Development Fund (“CCDF”) Block Grant Act of 1990, as amended, 42 USC § 9858b (b)(1)(A), (the “Act”) requires the Lead Agency to “administer, directly, or through other governmental or non-governmental agencies” the funds received. The regulations at 45 CFR 98.11 provide that, in addition to retaining “overall responsibilities” for the administration of the program, the Lead Agency must also (among other things) promulgate all rules and regulations governing the overall administration of the CCDF Program.
* PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: Stakeholders will be consulted.
* SCHEDULE FOR ADOPTION: FY 2025.
* AFFECTED PARTIES: Parents in need of child care services and assistance with obtaining and payment of those services; individuals who provide child care services; and children who receive child care services.

**10-148**

* **CHAPTER 7:** Rules for Authorization of Background Checks for Prospective Adoptive Parents  
  STATUTORY AUTHORITY: Title 18-C, Article 9
* PURPOSE: These rules provide for and describe the procedures for completion of background checks for prospective adoptive parents. These rules are designed to protect the health, safety, and wellbeing of children adopted in the State of Maine.
* PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: Stakeholders will be consulted.
* SCHEDULE FOR ADOPTION: FY 2025.
* AFFECTED PARTIES: Child placing agencies, prospective adoptive parents, and children who are eligible for adoption in the State of Maine.

**10-148**

**CHAPTER 12:** Rules for Permanency Guardianship

* STATUTORY AUTHORITY: Title 22, Chapter 1071
* PURPOSE: These rules set forth eligibility requirements and guidelines for permanency guardianship assistance to eligible families, including the terms of the agreement between the family and the state.
* PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: Stakeholders will be consulted.
* SCHEDULE FOR ADOPTION: FY 2025.
* AFFECTED PARTIES: Children in the State’s custody and caregivers who are or will become engaged in a permanency guardianship of a child in the State’s custody.

**10-148**

**CHAPTER 13:** Rules for the Adoption Assistance Program

* STATUTORY AUTHORITY: Title 18-C, Article 9
* PURPOSE: These rules establish the eligibility requirements for adoption assistance available to adoptive families and outline the terms of the agreement between the adoptive family and the State.
* PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: Stakeholders will be consulted.
* SCHEDULE FOR ADOPTION: FY 2025.
* AFFECTED PARTIES: Children in the State’s custody and caregivers who have or will adopt a child from the State’s custody.

**10-148**

**CHAPTER 14:** Rules for Levels of Care for Foster Homes

* STATUTORY AUTHORITY: Title 22 MRS §4062.
* PURPOSE: These rules describe the procedures, requirements, and rates for the Office of Child and Family Services’ levels of care system. This system provides for placement of children in state custody in the appropriate setting based on their medical and behavioral health needs, as well as ensuring appropriate reimbursement to resource parents for the cost of caring for children based on their needs.
* PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: Proposed rule will be presented for input to a variety of groups that are in involved in rate setting.
* SCHEDULE FOR ADOPTION: FY 2025.
* AFFECTED PARTIES: Children in care, individuals who care for children in foster care, treatment foster care agencies, children in foster care.

**10-148**

**CHAPTERS 15 and 16:** Rules for the Licensing of Family Foster Homes\* for Children and Rules Providing for the Licensing of Specialized Children’s Foster Homes\* (\*Planned name change to Resource Homes)

* STATUTORY AUTHORITY: Title 22 MRS §8102.
* PURPOSE: These rules describe the procedures and requirements for licensing of resource families providing for care of children in state custody.
* PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: Rule changes are presented to a variety of groups that are involved in caring for children in state custody and supporting resource parents who provide care for children in state custody. The Kinship Advisory Board will be a part of providing feedback.
* SCHEDULE FOR ADOPTION: FY 2025.
* AFFECTED PARTIES: Children in care, individuals who care for children in foster care, treatment foster care agencies, and kinship families.

**10-148**

**CHAPTER 17:** Rules for Licensing of Family Foster Homes Providing Respite Care for Children

* STATUTORY AUTHORITY: Title 22 MRS, Chapter 1669
* PURPOSE: These rules describe the procedures and standards for licensing of family foster homes that provide only respite care for children in the State’s custody.
* PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: Stakeholders will be consulted.
* SCHEDULE FOR ADOPTION: FY 2025.
* AFFECTED PARTIES: Children in the State’s custody and caregivers who have provide respite care for children in the State’s custody.

**10-148**

**CHAPTER 19:** Rules Providing for Licensing of Child Placing Agencies With and Without Adoption Programs, including Addendum, Home Certification Process

* STATUTORY AUTHORITY: Title 22 MRS, Chapter 1671
* PURPOSE: These rules provide the requirements for the Department’s licensing of child placing agencies, including the criteria for denying, revoking, or suspending such a license. These rules govern operation of child placing agencies including the organization and administration, personnel, and standards utilized by the agency, as well as ensuring confidentiality of records.
* PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: Stakeholders will be consulted.
* SCHEDULE FOR ADOPTION: FY 2025.
* AFFECTED PARTIES: Child placing agencies and the members of the public who interact with these agencies.

**10-148**

**CHAPTER 19-A:** Rules for the Licensure of Private Non-medical Institutions-Child Placing Agencies With and Without Adoption Programs

* STATUTORY AUTHORITY: Title 22 MRS, Chapter 1671
* PURPOSE: These rules provide the requirements for the Department’s licensing of child placing agencies, including the criteria for denying, revoking, or suspending such a license. These rules govern operation of child placing agencies including the organization and administration, personnel, and standards utilized by the agency, as well as ensuring confidentiality of records.
* PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: Stakeholders will be consulted.
* SCHEDULE FOR ADOPTION: FY 2025.
* AFFECTED PARTIES: Child placing agencies and the members of the public who interact with these agencies.

**10-148**

**CHAPTER 24:** Rules on the Disclosure of HIV Status Information on a Child in the Custody of the Department of Human Services

* STATUTORY AUTHORITY: 22 MRS, Chapter 1071.
* PURPOSE OF THE RULE: This rule governs the disclosure of HIV test results for a child in the legal custody of the Department of Health and Human Services.
* PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: Stakeholders will be consulted.
* SCHEDULE FOR ADOPTION: FY 2025.
* AFFECTED PARTIES: Children, parents/guardians, resource parents, and other caregivers.

**10-148**

**CHAPTER 32:** Child Care Facility Licensing Rules – Child Care Centers, Nursery Schools, Small Child Care Facilities, Other Programs

* STATUTORY AUTHORITY: Title 22 MRS §8302-A
* PURPOSE OF THE RULE: These rules provide the requirements for the Department’s licensing of child care providers.
* PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: Stakeholders will be consulted.
* SCHEDULE FOR ADOPTION: FY 2025.
* AFFECTED PARTIES: Licensed child care providers and their staff.

**10-148**

**CHAPTER 34:** Child Care Provider (Child Care Facilities and Family Child Care Providers) Background Check Licensing Rule

* STATUTORY AUTHORITY: Title 22 MRS §8302-A
* PURPOSE OF THE RULE: This rule governs the comprehensive background checks required for licensed child care providers.
* PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: Stakeholders will be consulted.
* SCHEDULE FOR ADOPTION: FY 2025.
* AFFECTED PARTIES: Licensed child care providers and their staff.

**10-148**

**CHAPTER 35:** Children’s Residential Care Facilities Licensing Rule

* STATUTORY AUTHORITY: 22 MRS Chapter 1661, 1663, 1669.
* PURPOSE OF THE RULE: This rule governs the licensing of children’s residential care facilities in Maine to protect the health, safety, and welfare of residents.
* PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: Stakeholders will be consulted.
* SCHEDULE FOR ADOPTION: FY 2025.
* AFFECTED PARTIES: Children’s residential care providers, parents/guardians, recipients of services.

**10-148**

**CHAPTER 201:** Procedures for the Abuse or Neglect Substantiation Process, for Appeals for Persons Substantiated as Perpetrators of Abuse or Neglect of Children, and Appeals for Denial of Access to Confidential Records

* STATUTORY AUTHORITY: Title 22 MRS §4004.
* PURPOSE: These rules outline procedures to govern the substantiation/indicated process, and to notify and provide an appeal to persons who have been substantiated or indicated by the Department of Health and Human Services as having abused or neglected a child or children. In addition, this rule provides an appeal process for individuals denied access to their confidential child protective records.
* PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: Stakeholders will be consulted.
* SCHEDULE FOR ADOPTION: FY 2025.
* LISTING OF AFFECTED PARTIES: Individuals found to be substantiated or indicated for abuse of children, families and children affected by abuse. Individuals seeking access to their confidential child protective records.

**10-148**

**CHAPTER 577:** Alumni Transition Grant Program Rules

* STATUTORY AUTHORITY: Title 22 MRS §4010-C.
* PURPOSE: These rules govern the implementation and operation of the transition grant program which provides support to individuals who exited the Department’s custody and who are enrolled in a postsecondary educational program.
* PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: Stakeholders will be consulted.
* SCHEDULE FOR ADOPTION: FY 2025.
* LISTING OF AFFECTED PARTIES: Individuals who were previously in the Department’s custody and who exited the voluntary extended care program due to their age.

**10-148**

**NEW RULES ANTICIPATED**

**10-148**

**Chapter XXX**: Investigation of Out-of-Home Abuse and/or Neglect Rule  
STATUTORY AUTHORITY: 22 MRS, Chapter 1674

* PURPOSE OF THE RULE: Implements the provisions of 22 MRS Chapter 1674 regarding the investigation of alleged incidents of child abuse and neglect in out of home settings.
* PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: Stakeholders will be consulted.
* SCHEDULE FOR ADOPTION: FY 2025.
* LISTING OF AFFECTED PARTIES: Individuals and entities subject to investigation.

**10-148**

**Chapter XXX**: Safe Haven Baby Boxes  
STATUTORY AUTHORITY: Title 22 MRS §4018

* PURPOSE OF THE RULE: Implements rules required by 22 MRS §4018 to ensure the safe design, installation and use of a safe haven baby box.
* PLANNED USE OF CONSENSUS-BASED RULE DEVELOPMENT: Stakeholders will be consulted.
* SCHEDULE FOR ADOPTION: FY 2025.
* LISTING OF AFFECTED PARTIES: Entities that may wish to install a safe haven baby box and those who might utilize a safe haven baby box.

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AGENCY UMBRELLA-UNIT NUMBER: **14-118**, **14-193, 10-148, 14-472, 14-144**

AGENCY NAME: **Office of Behavioral Health Services** (formerly Office of Substance Abuse and Mental Health Services); **Children’s Behavioral Health Services** (formerly under the Office of Child and Family Services now within the Office of Behavioral Health)

**CONTACT PERSON:** Danielle Hess, Policy, Communications, and Compliance Manager. #11 State House Station, 41 Anthony Avenue, Augusta, Maine, 04333-0011; (207) 441-8496; [Danielle.Hess](mailto:Danielle.Hess)@maine.gov

**EXPECTED 2024-2025 RULEMAKING ACTIVITY:**

**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA**: None.

**Office of Behavioral Health Rules (14-118 and 14-193)**

**14-193, Chapter 1**, **Rights of Recipients of Mental Health Services**

* STATUTORY BASIS: 34-B M.R.S.A. § 3003
* PURPOSE (of the rule):  These rules govern the rights of recipients of mental health services. The rules set the framework for interaction with the Department (DHHS), and the process by which adult consumers receive services. These rules will be amended to comply with state and federal changes, to update policy, definitions and references, and to implement changed services and regulations, as necessary.
* SCHEDULE FOR ADOPTION: Provisional adoption in quarter four 2025; contingent on legislative action
* LISTING OF AFFECTED PARTIES: Other state agencies, providers, advocates, and individuals who receive mental health services.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated.

**14-193, Chapter 4, Rules for Board Representation at Community Mental Health Programs**

* STATUTORY BASIS: 34-B M.R.S.A. § 3603 (P.L. 1986, ch. 761)
* PURPOSE (of the rule): To assure representation on the boards of directors of community mental health programs principally funded by the department from area affiliates of Maine Alliance for Addiction and Mental Health Services, or similarly organized mental health consumer organizations. The legislative intent was to require a consumer voice and consumer vote in the policy deliberations of agencies receiving substantial public funding which, because of the amount and type of their services, make a major impact on the lives of consumers of mental health services and their families.
* SCHEDULE FOR ADOPTION: None anticipated.
* LISTING OF AFFECTED PARTIES: Community mental health programs, providers, individuals with mental illness, and mental health consumer organizations.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated.

**14-193, Chapter 40, Review of Requests for Specialized Out-of-State Mental Health Treatment for adults**

* STATUTORY BASIS: 34-B M.R.S.A §3003
* PURPOSE (of the rule): This rule will be reviewed for amendment or inclusion into relevant rule(s) to comply with other state and federal changes and exemptions to covered treatment and funding appropriations. The Office of Behavioral Health will partner with stakeholders including but not limited to the Office of MaineCare Services to ensure all individuals requiring specialized, out-of-state treatment have a well-defined process for preauthorization and funding allocation based on medical necessity, best clinical practice, and cost-effectiveness. The primary goal is to ensure the process is outlined and applicable to all individuals seeking mental health treatment subject to their eligibility under such proposed amendments or restructure.
* SCHEDULE FOR ADOPTION: Unspecified/to be determined.
* LISTING OF AFFECTED PARTIES: Individuals with mental illness, Office of MaineCare Services, providers, other state agencies, out-of-state agencies and providers.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated.

**14-118, Chapter 1, Rules Governing Grants and Purchase of Service Agreements**

* STATUTORY BASIS: 22 M.R.S.A. §42
* PURPOSE (of the rule): Sets forth regulations for obtaining funds from the State of Maine under the Comprehensive Alcohol Abuse and Alcohol Prevention, Treatment, and Rehabilitation Act of 1970 and the Drug Abuse Office and Treatment Act of 1972.
* SCHEDULE FOR ADOPTION: None anticipated.
* LISTING OF AFFECTED PARTIES: State, regional, and local public and private non-profit agencies and organizations that participate in programs under the Comprehensive Alcohol Abuse and Alcohol Prevent, Treatment, and Rehabilitation Act of 1970 and the Drug Abuse Office and Treatment Act of 1972. Agencies and entities assisting individuals with a history of alcohol or drug abuse, high-risk persons as defined in the Maine State Plan for Alcohol and Drug Abuse Services, and others seeking funds, grants, or purchase agreements or funding covered under the rule.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated.

**14-118, Chapter 2, Driver Education and Evaluation Program Procedure Manual**

* STATUTORY BASIS: 5 M.R.S.A. § 20005 and 5 M.R.S.A. Part 25, c. 521 Sub-chapter 5
* PURPOSE (of the rule): These rules govern the Driver Education and Evaluation Program (DEEP) Procedures. They set forth the framework of how the system should function as well as the requirements for both consumers and providers. An internal review of the program is pending which will result in changes to the regulatory framework that governs DEEP.
* SCHEDULE FOR ADOPTION: Unspecified/to be determined.
* AFFECTED PARTIES:Community-based service providers and OUI offenders.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated.

**14-118, Chapter 3, Request for Proposal Policies**

* STATUTORY BASIS: 5 M.R.S.A. §1831, 5 M.R.S.A. §20005
* PURPOSE (of the rule): Sets forth procedure by which services are purchased or by which grants or contracts are awarded. Further sets forth policies intended to formally announce the availability of funds to purchase a service; ensure equal opportunity to all prospective respondents; allow for public review of decisions and a mechanism for questioning the decision; and achieve a cost-effective and timely fund award process.
* SCHEDULE FOR ADOPTION: None anticipated.
* LISTING OF AFFECTED PARTIES: Entities and organizations seeking to respond to Department requests for proposal and/or seeking funding and contract awards for services performed by the Office of Behavioral Health.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated.

**14-118, Chapter 11, Rules Governing the Controlled Substances Prescription Monitoring Program and Prescription of Opioid Medications**

* STATUTORY BASIS: 22 M.R.S.A. §7252, §7523, §7254, and P.L. 2015, ch. 488
* PURPOSE (of the rule): These rules implement the controlled substances prescription monitoring program, established by the Legislature as a means to promote the public health and welfare and to detect and prevent substance abuse. These rules also implement requirements for the prescription of opioid medications.
* SCHEDULE FOR ADOPTION: Unspecified/to be determined.
* LISTING OF AFFECTED PARTIES: Prescribers, providers, dispensers (pharmacies), other healthcare professionals, and PMP staff.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated.

**14-118, Chapter 19, Rules Governing Community-Based Overdose Prevention Programs**

* STATUTORY BASIS: 22 M.R.S.A. §2353
* PURPOSE (of the rule): Describes policies and procedures related to the establishment of Overdose Prevention Programs and the storage, dispensing, and distribution of Naloxone Hydrochloride in community-based agency settings.
* SCHEDULE FOR ADOPTION: Unspecified/to be determined.
* LISTING OF AFFECTED PARTIES: Community-based service providers, healthcare professionals, individuals with substance use disorders, and other state agencies.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated.

**New Rules Anticipated (Office of Behavioral Health)**

**14-118, Chapter [xx], Rules Governing the Bridging Rental Assistance Program (New)**

* STATUTORY BASIS: 34-B M.R.S.A. § 3011
* PURPOSE (of the rule):  These rules will govern the Bridging Rental Assistance Program (BRAP). They will set the framework of how the transitional housing voucher program should function as well as the requirements for consumers.
* SCHEDULE FOR ADOPTION: Unspecified/to be determined.
* LISTING OF AFFECTED PARTIES: Providers and individuals with mental illness.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated.

**14-118, Chapter [xx], Rules Governing the Certification of Recovery Residences (New)**

* STATUTORY BASIS: 5 M.R.S.A. § 20005 (P.L. 2019 ch. 524)
* PURPOSE (of the rule):  These rules will establish criteria for the certification of recovery residences. The criteria will be based on criteria developed by a nationally recognized organization that supports persons recovering from substance use disorder and certification will be voluntary.
* SCHEDULE FOR ADOPTION: Unspecified/to be determined.
* LISTING OF AFFECTED PARTIES: Other state agencies, providers, and individuals who receive substance use disorder and recovery services.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated.

**14-118, Chapter [xx], Housing First Program (New)**

* STATUTORY BASIS: 22 M.R.S.A. §20-A
* PURPOSE (of the rule): Set forth criteria for the housing first program and program sites to deliver stabilization and support services to residents of properties established or developed to provide permanent housing to persons who have been chronically homeless; funding and technical assistance; and other program requirements.
* SCHEDULE FOR ADOPTION: FY 2025
* LISTING OF AFFECTED PARTIES: Unhoused individuals, chronically homeless, individuals with mental and behavioral health care needs, other state offices and agencies, providers, housing developers, others.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated.

**14-118, Chapter [xx], Crisis Receiving Centers (New)**

* STATUTORY BASIS: 34-B M.R.S.A. §3613
* PURPOSE (of the rule): Establish criteria for crisis receiving centers to support individuals experiencing challenges with behavioral health, mental health or substance use.
* SCHEDULE FOR ADOPTION: Unspecified/to be determined.
* LISTING OF AFFECTED PARTIES: Providers, other state offices and agencies, individuals in need of mental and behavioral health care services, individuals in acute crisis.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated.

**Children’s Behavioral Health Rules (10-148, 14-472, and 14-144)**

**14-472, Chapter 1, Rights of Recipients of Mental Health Services Who Are Children in need of Treatment**

* STATUTORY BASIS: 34-B M.R.S.A. §§3003 and 15002
* PURPOSE (of the rule): These rules govern the rights of recipients of mental health services. The rules set the framework for interaction with the Department, and the process by which consumers who are children receive services. These rules will be amended to comply with state and federal changes, to update policy, definitions and references, and to implement changed services and regulations, as necessary.
* SCHEDULE FOR ADOPTION: Provisional adoption in quarter four 2025; contingent on legislative action
* LISTING OF AFFECTED PARTIES: Providers of mental health services to children, children, family members of children.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated.

**14-472, Chapter 3, Regulations Governing Timeliness Standards for In-home Behavioral Health and Case Management Services Under MaineCare**

* STATUTORY BASIS: 34-B M.R.S.A. §§1203, 15002
* PURPOSE (of the rule): This rule implements the court-approved settlement agreement reached in Risinger v. Maine Department of Human Services and establishes timeliness standards for the provision of in-home behavioral health services under MaineCare Benefits Manual, Chapter II, Sections 65.04-3(H) and 24.01-2, as well as for case management services under MaineCare Benefits Manual, Chapter II, Section 13.12.
* SCHEDULE FOR ADOPTION: Unspecified/to be determined.
* LISTING OF AFFECTED PARTIES: Providers and recipients of mental health services of children and adolescents, other state offices and agencies.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated.

**14-472, Chapter 4, Regulations to Establish a Sliding Fee Methodology for State Grant Funded Children’s Services**

* STATUTORY BASIS: 34-B M.R.S.A. §1208
* PURPOSE (of the rule): To set forth requirements for contracts with providers which require those providers to charge fees for certain grant funded services, primarily the Office of Child and Family Services’ respite program.
* SCHEDULE FOR ADOPTION: Unspecified/to be determined.
* LISTING OF AFFECTED PARTIES: Providers of state grant funded children's services and the parents and children who utilize these services.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated.

**10-148, Chapter 21, Rules for the Provision of Payments for Residential Programs Serving Children**

* STATUTORY BASIS: 22 M.R.S.A §4062
* PURPOSE (of the rule): These rules provide for reimbursement for room and board for residential programs serving children at a standard rate within the available funds, to ensure that the payments are reasonable and consistently applied to like programs while meeting the needs of the children in the facility.
* SCHEDULE FOR ADOPTION: Unspecified/to be determined.
* LISTING OF AFFECTED PARTIES: Agencies and businesses that provide residential care for children, children receiving residential services, parents of children receiving residential services.
* CONSENSUS-BASED RULE DEVELOPMENT: None anticipated.

**14-144, Chapter 2, Community Services Block Grant Program**

* STATUTORY BASIS: Title 22 M.R.S.A., Chapter 1477
* PURPOSE (of the rule): These rules provide consistent statewide guidelines for the use of federal funds appropriated under the Community Services Block Grant (CSBG) Act of 1981, including funding and program requirements. These rules ensure consistency with the Community Opportunities, Accountability, and Training and Educational Services Human Services Reauthorization Act of 1998 (P.L. 105-285).
* SCHEDULE FOR ADOPTION: Unspecified/to be determined.
* LISTING OF AFFECTED PARTIES: Community action agencies that receive and distribute CSBG funding and individuals who receive support through these agencies.
* CONSENSUS-BASED RULE DEVELOPMENT: Stakeholders will be consulted.

AGENCY UMBRELLA-UNIT NUMBER: **10-149** and **14-197**

AGENCY NAME: **Office of Aging and Disability Services,** formerly two separate offices: the Office of Elder Services; and the Office of Adults with Cognitive and Physical Disability Services

CONTACT PERSON: Esther Miller, Policy & Program Development Manager; Office of Aging and Disability Services; 11 State House Station, Augusta, ME 04333-0011; 207-441-8349; [esther.miller@maine.gov](mailto:esther.miller@maine.gov)

**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA**: None

**EXPECTED 2024-2025 RULEMAKING ACTIVITY:**

**10-149, Chapter 2, Section 2,** Adult Protective Services Guardianship (New Policy)

* STATUTORY BASIS: 22 M.R.S. §§ 42(1); 22 M.R.S. § 3470 *et seq*.; 34-B M.R.S. § 5604-A.
* PURPOSE (of the rule): 10-149 CMR ch. 5, section 15, the public guardianship/conservatorship rule, was last updated in 2007. Since that time, the structure of the program has changed warranting rule updates and the Maine probate code has been fully overhauled so the statutory references throughout the rule are no longer up to date. As a result, the rule requires substantial revisions.
* SCHEDULE FOR ADOPTION: Spring 2025
* LISTING OF AFFECTED PARTIES: Other State Agencies, Providers, Older Adults, and Incapacitated and Dependent Adults.

**10-149, Chapter 2, Section 3,** Adult Protective Services Training Program Requirements (New Policy)

* STATUTORY BASIS: 22 M.R.S. §§ 42(1); 22 M.R.S. § 3470 *et seq*.; 34-B M.R.S. § 5604-A.
* PURPOSE (of the rule): LD 35 *An Act to Establish Adult Protective Services Training Requirements for Professionals Mandated to Report Suspected Abuse, Neglect or Exploitation to Enhance Protection of Incapacitated and Dependent Adults*, was signed into law during the first session of the 131st legislature. This new law requires that those who are mandated reporters to APS receive training on their duty to report. A rule is needed to establish how mandated reporters will demonstrate compliance with this training requirement and what criteria will need to be met for an organization to successfully offer such a training to their staff should they choose to do as an alternative to the training offered directly by DHHS.
* SCHEDULE FOR ADOPTION: Summer 2025
* LISTING OF AFFECTED PARTIES: Other State Agencies, Providers, Older Adults, and Incapacitated and Dependent Adults.

**10-149, Chapter 5**, **Sections 1-76,** Office of Elder Services [Office of Aging and Disability Services] Policy Manual

* STATUTORY BASIS: 22 M.R.S. §§ 42(1); 22-A M.R.S. § 205; 22 M.R.S. §§ 342, 3493, 5106, 6108,

6203, 7303, 7312, 7853, 8602, and 9002; and 24 M.R.S. § 6214

* PURPOSE (of the rule): These rules govern the operation of programs administered by the Office of Aging and Disability Services, including the State Unit on Aging programs (under the *Older Americans Act*), the long term supports and services system of care, as well as the Adult Protective Services unit. These rules will be proposed and amended to comply with state and federal changes, to update policy, and to implement changed services and regulations, as necessary.
* SCHEDULE FOR ADOPTION: It is not possible to predict when changes will be made to these regulations because of the nature of this work. Federal regulation changes, state legislation, and state-initiated changes because of identified problems and budget considerations require the timely amendment or adoption of new rules over the course of the year.
* LISTING OF AFFECTED PARTIES: Other State Agencies, Providers, Older Adults and Adults with Disabilities

**10-149, Chapter 6**, **Section 6,** Long-Term Care Ombudsman Program**,** Office of Elder Services [Office of Aging and Disability Services] Policy Manual

* STATUTORY BASIS: 22 M.R.S. §§ 42(1); 22 M.R.S. §§ 5106(10), (11-C), 5107-A
* PURPOSE (of the rule): This rule governs the operation of Maine’s Long-Term Care

Ombudsman Program pursuant to the *Older Americans Act*. Maine’s Long-Term Care

Ombudsman Program investigates complaints received on behalf of individuals receiving

long term services and supports. This rule will be proposed to comply with state and

federal law and to implement services and regulations.

* SCHEDULE FOR ADOPTION: It is not possible to predict when changes will be made to these regulations because of the nature of this work. Federal regulation changes, state legislation, and state-initiated changes because of identified problems and budget considerations require the timely amendment or adoption of new rules over the course of the year.
* LISTING OF AFFECTED PARTIES: Other State Agencies, Providers, Older Adults and Adults with Disabilities

**10-149, Chapter 6**, **Section 7,** Legal Services for Older Adults**,** Office of Elder Services [Office of Aging and Disability Services] Policy Manual

* STATUTORY BASIS: 22 M.R.S. §§ 42(1), 5106(10), (11-A)
* PURPOSE (of the rule): These rules govern the operation of legal services for older adults pursuant to the *Older Americans Act*. These rules are intended to provide important assistance for older adults in accessing long term services and supports options, as well as to protect older adults against direct challenges to their independence, choice, and financial security. These rules will be proposed to comply with state and federal changes, to update policy, and to implement changed services and regulations. This rule will replace the existing Chapter 5, Section 64, that is scheduled to be repealed.
* SCHEDULE FOR ADOPTION: It is not possible to predict when changes will be made to these regulations because of the nature of this work. Federal regulation changes, state legislation, and state-initiated changes because of identified problems and budget considerations require the timely amendment or adoption of new rules over the course of the year.
* LISTING OF AFFECTED PARTIES: Other State Agencies, Providers, Older Adults and Adults with Disabilities

**10-149, Chapter \_, Section \_,** Aging and Disability Resource Centers (New Policy)

* STATUTORY BASIS: 22 M.R.S. §§ 42(1), 5106(10), (11-A)
* PURPOSE (of the rule): The purpose of this rule is to establish Maine’s Aging and Disability Resources Centers as part of the No Wrong Door System pursuant to the Older Americans Act of 1965, as amended through P.L. 116–131. This proposed rule aims to establish statewide programmatic and organizational standards to ensure consistency and reliable delivery of services provided by Aging and Disability Resources Centers. This proposed rule will also outline the process for designating Aging and Disability Resource Centers throughout Maine.
* SCHEDULE FOR ADOPTION: Summer 2025
* LISTING OF AFFECTED PARTIES: Other State Agencies, Providers, Older Adults and Adults with Disabilities

**10-149, Chapter \_, Section \_,** Medicare Beneficiary Education Program (New Policy)

* STATUTORY BASIS: 22 M.R.S. §§ 42(1), 5106(10), (11-A)
* PURPOSE (of the rule): The purpose of this rule is to provide programmatic requirements for Maine’s State Health Insurance Assistance Program (SHIP), Senior Medicare Patrol (SMP), and Medicare Improvement for Patients and Providers Act (MIPPA) federally funded programs. This proposed rule seeks to establish statewide programmatic standards and expectations of providers.
* SCHEDULE FOR ADOPTION: Summer 2025
* LISTING OF AFFECTED PARTIES: Other State Agencies, Providers, Older Adults and Adults with Disabilities

**10-149, Chapter \_, Section \_,** Evidence-Based Health Promotion and Disease Prevention (New Policy)

* STATUTORY BASIS: 22 M.R.S. §§ 42(1), 5106(10), (11-A)
* PURPOSE (of the rule): The purpose of this rule is to develop programmatic requirements on the delivery of Evidence-Based Health Promotion and Disease Prevention Services in Maine pursuant to Older Americans Act of 1965, as amended through P.L. 116–131.
* SCHEDULE FOR ADOPTION: Fall 2025
* LISTING OF AFFECTED PARTIES: Other State Agencies, Providers, Older Adults and Adults with Disabilities

**10-149, Chapter \_, Section \_,** Affordable Assisted Living Facilities (New Policy)

* STATUTORY BASIS: 22 M.R.S. §§ 42(1), 5106
* PURPOSE (of the rule): These rules establish minimum standards for the licensing of assisted living programs.  Assisted living services are the provisions by an assisted living program, either directly by the provider or indirectly through contracts with persons, entities or agencies, assistance with activities of daily living and instrumental activities of daily living, personal supervision, protection from environmental hazards, meals, diet care, care management and diversional or motivational activities.  Assisted living programs must be resident oriented and meet professional standards of quality. The purpose of this Assisted Living Services rulemaking is to provide key terms used for assisted living services, eligibility requirements, duration and limitations of services, covered and non-covered services, policies and procedures, staffing requirements, responsibilities, and resident payment methodology.
* SCHEDULE FOR ADOPTION: Fall 2025
* LISTING OF AFFECTED PARTIES: Other State Agencies, Providers, Older Adults and Adults with Disabilities

**10-149, Chapter \_, Section \_,** In Home Services for Older Individuals (New Policy)

* STATUTORY BASIS: 22 M.R.S. §§ 42(1), 5106
* PURPOSE (of the rule): The purpose of this rule is to provide programmatic guidance on the delivery of Older Americans Act funded In-Home Services in Maine as defined by Section 102(30) of the Older Americans Act of 1965, as amended through P.L. 116–131, and Federal program guidance.
* SCHEDULE FOR ADOPTION: End of 2024
* LISTING OF AFFECTED PARTIES: Other State Agencies, Providers, Older Adults and Adults with Disabilities

**10-149, Chapter \_, Section \_,** Adult Day (New Policy)

* STATUTORY BASIS: 22 M.R.S. §§ 42(1), 5106
* PURPOSE (of the rule): The purpose of this rule is to provide programmatic guidance on the delivery of Older Americans Act funded Adult Day Services in Maine pursuant to the Older Americans Act of 1965, as amended through P.L. 116–131, and Federal program guidance.
* SCHEDULE FOR ADOPTION: End of 2025
* LISTING OF AFFECTED PARTIES: Other State Agencies, Providers, Older Adults and Adults with Disabilities

**14-197, Chapter 3**, Definition of Mental Retardation and Autism; Appeal Procedure

* STATUTORY BASIS: 22 M.R.S. §§ 42(1); 22-A M.R.S. § 205; 34-B M.R.S. §§ 5432, 5465, and 6003
* PURPOSE (of the rule): These rules set out definitions, policies and appeal procedures for persons with intellectual disabilities or autism spectrum disorder. These rules will be amended to comply with state and federal changes, to update policy, and to implement changed services and regulations, as necessary.
* SCHEDULE FOR ADOPTION: Summer 2024
* LISTING OF AFFECTED PARTIES: Other State Agencies, Providers, and Persons with Intellectual Disabilities or Autism Spectrum Disorder

**14-197, Chapter 4**, Joint Regulations Between Division of Special Education and Bureau of Mental Retardation

* STATUTORY BASIS: 22 M.R.S. §§ 42(1); 22-A M.R.S. § 205; 34-B M.R.S. §§ 5432, 5465, and 6003
* PURPOSE (of the rule): These rules are intended to coordinate the delivery of services for individuals with intellectual disabilities or autism spectrum disorder transitioning from receiving services in a school setting into the adult service system (although the rule is no longer relied upon by DHHS offices).
* SCHEDULE FOR ADOPTION: This rule will be repealed, and the Department will consider replacement. It is not possible to establish a timeline.
* LISTING OF AFFECTED PARTIES: Other State Agencies, Providers, and Persons with Intellectual Disabilities or Autism Spectrum Disorder

**14-197, Chapter 5**, Regulations Governing Behavioral Support, Modification and Management for People with Intellectual Disabilities or Autism in Maine

* STATUTORY BASIS: 22 M.R.S. §§ 42(1); 34-B M.R.S. § 5201(9), and § 5601 *et* *seq*.
* PURPOSE (of the rule): These regulations are designed to implement Maine law regarding the rights of persons with intellectual disabilities and autism spectrum disorder particularly when an individual is engaging in a challenging behavior. These rules will be amended to comply with state and federal changes, to update policy, and to implement changed services and regulations, as necessary.
* SCHEDULE FOR ADOPTION: Summer 2025
* LISTING OF AFFECTED PARTIES: Other State Agencies, Providers, and Persons with Intellectual Disabilities or Autism Spectrum Disorder

**14-197,** [**Chapter 10**](http://www.maine.gov/sos/cec/rules/14/197/197c010.doc), Certification Requirements for Agencies Seeking to Provide Community Based Targeted Case Management for Adults with Intellectual Disabilities and Autism

* STATUTORY BASIS: 22 M.R.S. §§ 42(1); 22-A M.R.S. § 205; and 34-B M.R.S. §§ 5201, 5432 and 5465
* PURPOSE (of the rule): These rules set out the requirements for certification for agencies seeking to provide community based targeted case management for adults with intellectual disorders or autism spectrum disorder.
* SCHEDULE FOR ADOPTION: It is not possible to predict when changes will be made to these regulations because of the nature of this work. Federal regulation changes, state legislation, and state-initiated changes because of identified problems and budget considerations require the timely amendment or adoption of new rules over the course of the year.
* LISTING OF AFFECTED PARTIES: Other State Agencies, Providers, and Persons with Intellectual Disabilities or Autism Spectrum Disorder

**14-197,** [**Chapter 12**](http://www.maine.gov/sos/cec/rules/14/197/197c012.doc), Reportable Events System

* STATUTORY BASIS: 22 M.R.S. §§ 42(1); 34-B M.R.S*.* § 5604-A
* PURPOSE (of the rule): This rule sets out the Department’s policy on reportable events and the investigation of allegations of abuse, neglect and exploitation of adults with intellectual disorders and autism spectrum disorder and the process for individuals appealing a substantiation of abuse, neglect and exploitation. These rules will be amended to comply with state and federal changes, to update policy, and to implement changed services and regulations, as necessary.
* SCHEDULE FOR ADOPTION: Fall 2024
* LISTING OF AFFECTED PARTIES: Other State Agencies, Providers, and Persons with Intellectual Disabilities or Autism Spectrum Disorder

**14-197, Chapter 14**, **Brain Injury Resources for Underserved Populations, Including Opioid Overdose Brain Injury Survivors**

* STATUTORY BASIS: 22 M.R.S. §§ 42(1); 22 M.R.S. § 3088-A.
* PURPOSE (of the rule): The purpose of the rule is to comply with P.L. 2019, ch. 488, *An Act To Strengthen Brain Injury Resources for Underserved Populations*, Including Opioid Overdose Brain Injury Survivors. Within the limits of its available resources, the department may enter into contracts with organizations representing individuals with a brain injury and their families, bringing together state and national expertise to provide core brain injury support for underserved populations of individuals with an acquired brain injury, including, but not limited to, individuals who experienced an opioid drug overdose resulting in anoxic or hypoxic brain injury, who are veterans, who are victims of domestic violence, who are experiencing homelessness, who are ineligible for MaineCare and who have a newly acquired brain injury. For the purposes of this section, "core brain injury support" includes, but is not limited to, resource facilitation, brain injury support groups, outreach designed for individuals who have a newly acquired brain injury, access to a joint state and national helpline, information and resource education and family caregiver training. The department may adopt rules to implement this section.
* SCHEDULE FOR ADOPTION: End of 2024
* LISTING OF AFFECTED PARTIES: Other State Agencies, Providers, and Persons with Acquired Brain Injuries receiving services from the Department