**State of Maine: Notice of Agency Rulemaking – March 24, 2021**

**PROPOSALS**

AGENCY: **10-144** - Department of Health and Human Services (DHHS), **Maine Center for Disease Control and Prevention (Maine CDC)**

CHAPTER NUMBER AND TITLE: **Ch. 283**, Newborn Bloodspot Screening Rule

TYPE OF RULE: *both* Routine Technical *and* Major Substantive (Hybrid Rule R-T/M-S)

PROPOSED RULE NUMBER: **2021-P049** *(2nd publication: public hearing scheduled)*

BRIEF SUMMARY: **Routine Technical Rule Proposal**: The Department proposes to establish an expanded list of congenital, genetic and metabolic conditions for Maine’s newborn bloodspot screening (NBS) panel to include the following four conditions recently added to the U.S. DHHS Recommended Universal Screening Panel and recommended by the Maine Joint Advisory Committee for Newborn Bloodspot Screening: Pompe, Mucopolysaccharidosis Type 1 (MPS-1), X-linked Adrenoleukpdystrophy (X-ALD), and Spinal Muscular Atrophy (SMA). This change is consistent with rule changes implemented by emergency rule adoption March 11, 2021 and due to expire within 90 days. **Major Substantive Rule Proposal**: In this same rulemaking, pursuant to 5 MRS §8072, the Department is also proposing a Major Substantive rule change to increase the filter paper fee from $110 to $220, which is required for NBS specimen collection. (22-A MRS §210).

On March 11, 2021, the Department adopted an emergency Routine Technical / Major Substantive rule with these proposed changes. The purpose of this rulemaking is to make permanent the changes made in the emergency Routine Technical rule, and to provisionally adopt this Major Substantive rule. The emergency Routine Technical rule will be effective for up to 90 days after the effective date, in accordance with 5 MRS §8054(3) However, in accordance with 5 MRS §8073, the emergency Major Substantive rule changes (increasing the filter paper fee) may be in effect for up to twelve months, or until the Maine Legislature has completed its review.

PUBLIC HEARING: 9:00 to 10:00 a.m., Monday, April 12, 2021. *Hearings conducted during this current State of Civil Emergency will be virtual via Zoom. (1 MRS §403-A; 2020 PL c. 617);* ***ZoomMeetinglink:***[*https://mainestate.zoom.us/j/88465400177?pwd=VzNvbm83Ukg3UjB2K2F1WkhNK2tWdz09*](https://mainestate.zoom.us/j/88465400177?pwd=VzNvbm83Ukg3UjB2K2F1WkhNK2tWdz09)*;* ***Meeting ID:*** *884 6540 0177* ***Password:*** *M@ineCDC1. Some devices may require downloading a free app from Zoom prior to joining the public hearing event. The Department requests that any individual requiring special arrangements to attend the hearing contact the person listed for this filing 5 days in advance of the hearing.*

COMMENT DEADLINE: Thursday, April 22, 2021

CONTACT PERSON FOR THIS FILING / SMALL BUSINESS IMPACT INFORMATION: Bridget Bagley, 286 Water Street - 11 State House Station, Augusta, Maine 04333. Telephone: (207) 287-9394. Fax: (207) 287-2887. Email: [Bridget.Bagley@Maine.gov](mailto:Bridget.Bagley@Maine.gov) .

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES *(if any)*:

STATUTORY AUTHORITY: 22 MRS §§ 1532, 1533; 22-A MRS §210

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED *(if different)*:

MAINE CDC RULES WEBSITE: <https://www.maine.gov/dhhs/mecdc/rules/maine-cdc-rules.shtml> .

MAINE CDC WEBSITE: <https://www.maine.gov/dhhs/mecdc/> .

MAINE CDC RULEMAKING LIAISON: [Tera.Pare@Maine.gov](mailto:Tera.Pare@Maine.gov) .

DHHS RULEMAKING LIAISON: [Kevin.Wells@Maine.gov](mailto:Kevin.Wells@Maine.gov) .

AGENCY: **01-672** - Department of Agriculture, Conservation & Forestry (DACF), **Maine Land Use Planning Commission (LUPC)**

CHAPTER NUMBER AND TITLE: **Ch. 2***,* Definitions; **Ch. 10**, Land Use Districts and Standards; **Ch. 16**, Rules Relating to Large Lot Land Divisions

TYPE OF RULES: Routine Technical

PROPOSED RULE NUMBERS: **2021-P050, P051, P052**

BRIEF SUMMARY: This rulemaking proposes a new Chapter 2 to contain definitions currently included in other LUPC rules. The new rule and the revisions proposed for the two other rules collectively will improve user convenience by consolidating or reorganizing provisions without changing their regulatory effect, and revise visual characteristics to simplify or otherwise clarify each rule. All other revisions represent typical rule maintenance.

PUBLIC HEARING: N/A - *a public hearing has not been scheduled.*

COMMENT DEADLINE: Written comments must be submitted on or prior to May 10, 2021; Written rebuttal comments must be submitted on or prior to May 24, 2021.

CONTACT PERSON FOR THIS FILING / SMALL BUSINESS IMPACT INFORMATION: Tim Beaucage, LUPC, 22 State House Station, Augusta, Maine 04333. Telephone: (207) 287-4894. E-mail: [Timothy.Beaucage@Maine.gov](mailto:Timothy.Beaucage@Maine.gov) .

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES: Not applicable - 12 MRS §685-A(7-A)(B)

STATUTORY AUTHORITY FOR THIS RULE: 12 MRS §§ 685-A(3), 685-A(7-A), 685-C(5)

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED *(if different)*:

LUPC RULES WEBSITE: [www.maine.gov/dacf/lupc/laws\_rules/proposed\_rules/rules.shtml](http://www.maine.gov/dacf/lupc/laws_rules/proposed_rules/rules.shtml) .

LUPC WEBSITE: <https://www.maine.gov/dacf/lupc/index.shtml> .

DACF WEBSITE: <https://www.maine.gov/dacf/index.shtml> .

DACH RULEMAKING LIAISON: [Shannon.Ayotte@Maine.gov](mailto:Shannon.Ayotte@Maine.gov) .

AGENCY: **10-144** - Department of Health and Human Services (DHHS), **Office for Family Independence (OFI)**

CHAPTER NUMBER AND TITLE: **Ch. 607**; ASPIRE-TANF Program Manual: **ASPIRE Rule #28P**, TANF Earnings Disregard Extensions

TYPE OF RULE: Routine Technical

PROPOSED RULE NUMBER: **2021-P053**

BRIEF SUMMARY: This rule change aligns ASPIRE Program rules with changes to the *Maine Public Assistance Manual* that require the Department to consider receipt of the TANF earnings “Step” disregard as a condition for extended eligibility when a family has received TANF past the federal and state lifetime limit of 60 months. Step budgeting detailed in the *Maine Public Assistance Manual*, 10-144 CMR ch. 331, ch. IV, “Step Disregard”, requires a disregard of most or all of an individual’s earned income for a period of months. This extension is required in 22 MRS §3762(18) and 10-144 CMR ch. 331 ch. I(J)(3)(g)(i). This extension shall be applied only if the individual both received the Step disregard and reached the 60-month limit on or after October 1, 2019. Therefore, it will not be applied to recipients who reached the limit prior to that date but may be applied to current or future recipients if they qualify for the Step disregard.

Additionally, changes were made to the Index to bring it in line with recent changes to the sections and pages that refer to each topic.

See <http://www.maine.gov/dhhs/ofi/rules/index.shtml> for rules and related rulemaking documents.

PUBLIC HEARING: None Scheduled

COMMENT DEADLINE: Monday, April 26, 2021, at 5:00 p.m. EST. *Written public comments may be submitted via the link at* [*https://www.maine.gov/dhhs/ofi/about-us/rules/proposed*](https://www.maine.gov/dhhs/ofi/about-us/rules/proposed)*.*

CONTACT PERSON FOR THIS FILING: Dawn Q. Croteau, ASPIRE Program Manager, Department of Health and Human Services, Office for Family Independence, 109 Capitol Street – 11 State House Station, Augusta, ME 04330-6841. Telephone: (207) 624-6968. Fax: (207) 287-3455. TT Users Call Maine Relay – 711. [Dawn.Croteau@Maine.gov](mailto:Dawn.Croteau@Maine.gov) .

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES: None anticipated.

STATUTORY AUTHORITY FOR THIS RULE: 22 MRS §§ 42(1) and 3762(3)(A) and (18).

OFI RULES WEBSITE: <http://www.maine.gov/dhhs/ofi/rules/index.shtml> .

OFI WEBSITE: <https://www.maine.gov/dhhs/ofi> .

OFI RULEMAKING LIAISON: [Dan.Cohen@Maine.gov](mailto:Dan.Cohen@Maine.gov) .

DHHS RULEMAKING LIAISON: [Kevin.Wells@Maine.gov](mailto:Kevin.Wells@Maine.gov) .

**ADOPTIONS**