# **State of Maine**

# **NOTICE OF STATE AGENCY RULEMAKING**

PUBLIC INPUT FOR RULES A list of state agency rule proposals is published here each Wednesday. You can get a copy of a proposed rule by contacting the person listed in the notice. You can comment on a proposed rule by submitting a written comment to the agency or by attending the public hearing, if one is scheduled. If no hearing is scheduled, you can request one.  The agency must hold a hearing if it receives 5 or more requests.  If you have a disability and need assistance to participate in a hearing, you should tell the agency at least 7 days before the hearing. ONLINE INFORMATION Weekly notices, full text of adopted rules, and a list of agency rulemaking contacts are available at this website:

<https://www.maine.gov/sos/cec/rules/index.html>

# **PROPOSALS**

AGENCY:  Public Utilities Commission

**CHAPTER NUMBER AND TITLE: 65-407 C.M.R. Ch. 313, Customer Net Energy Billing
TYPE OF RULE: Routine Technical**

**PROPOSAL FILING NUMBER: 2025-P130**

**BRIEF SUMMARY:** The Commission initiates a rulemaking proceeding to amend its Net Energy Billing (NEB) rule, Chapter 313 to comply with recent legislation.

**PUBLIC HEARING:** September 30, 2025 at 11:00am at the Public Utilities Commission, 26 Katherine Drive, Hallowell, Maine 04347. Persons unable to attend this conference in person may elect to participate virtually by emailing pamela.kowalchuk@maine.gov at the Commission and requesting a Microsoft Teams invitation.

**COMMENT DEADLINE*:*** October 14, 2025. Comments on the proposed rule may be filed electronically using the Commission’s Case Management System (CMS). Interested persons may file final written comments on the proposed amendments in CMS, in Docket No. 2025-00264, no later than October 14, 2025.

**CONTACT PERSON FOR THIS FILING:** Liz Wyman, 18 State House Station, Augusta, ME 04333; (207) 287-3831; liz.wyman@maine.gov

**CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT *(if different)*:**

**FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES *(if any)*:**None

**STATUTORY AUTHORITY FOR THIS RULE:** 35-A M.R.S. §§ 104, 111, 1301, 3209-A, 3209-B, P.L. 2025 ch. 430; P.L. 2025, ch. 50.

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

**AGENCY WEBSITE:** [www.maine.gov/mpuc](https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.maine.gov%2Fmpuc&data=05%7C02%7CJ.Chris.Parr%40maine.gov%7C2b452051929f4d20b65408dde582259a%7C413fa8ab207d4b629bcdea1a8f2f864e%7C0%7C0%7C638919069346131705%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIlYiOiIwLjAuMDAwMCIsIlAiOiJXaW4zMiIsIkFOIjoiTWFpbCIsIldUIjoyfQ%3D%3D%7C0%7C%7C%7C&sdata=qboDO0xCTQiqMntvpLRg2jhtXn%2FkbGHGywm1ZEuYdzs%3D&reserved=0)

**EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON:** pamela.kowalchuk@maine.gov

AGENCY: Department of Health and Human Services, Office of MaineCare Services, Division of Policy

**CHAPTER NUMBER AND TITLE: 10-144 C.M.R. Ch. 101, MaineCare Benefits Manual (Chapter III, Section 45, Principles of Reimbursement for Hospital Services)**

**TYPE OF RULE: Routine Technical**

**PROPOSAL FILING NUMBER: 2025-P134**

**BRIEF SUMMARY:** The Department of Health and Human Services (the Department) proposes these rule changes in 10-144 C.M.R. Ch. 101, MaineCare Benefits Manual, Chapter III, Section 45, Principles of Reimbursement for Hospital Services. The Department’s principal purpose of this rulemaking is to make permanent the changes made to this policy enacted through emergency rulemaking on August 29, 2025, pursuant to Title 5, M.R.S. §8054.

* Section 45.02-8 (Days Awaiting Placement) has been expanded to include reimbursement days awaiting placement for individuals who await placement in a PNMI E (Community Residence for Persons with Mental Illness). This reimbursement is still capped at $1.5 million per state fiscal year, and includes days awaiting placement for individuals awaiting placement at nursing facilities;
* Effective retroactive to January 1, 2025, Section 45.04-1(A) and (B) are amended to reduce the reimbursement amount for inpatient and outpatient services for acute care critical access hospitals from 109% to 104.5%, as required by 22 M.R.S. Sec. 1714-D.
* P.L. 2023, ch 643, Sec. LL-1, amended 22 M.R.S. Sec. 1714-C ending critical access hospital staff enhancement payments effective December 31, 2024, Sec. 45.04-1(D), and Section 45.04-2 Supplemental Pool is deleted.
* Appendix A, 45.A-4 – Outlier Adjustment, the outlier adjustment formula in the November 6, 2024 rule is effective from July 1, 2024, through August 28, 2025. Effective August 29, 2025 there is a new outlier adjustment formula, which may result in a reduction in reimbursement for certain inpatient stays.

**PUBLIC HEARING**: The Department has determined that its public hearing will be hybrid, conducted both in-person and remotely, via Zoom.

Monday, September 29, 2025, 8:30 AM EST

109 Capitol Street, Augusta, Maine 04333

Maine Conference Rooms A & B

Zoom meeting link: <https://mainestate.zoom.us/j/87940597033>

Meeting ID: 879 4059 7033

One Tap Mobile: 1-646-931-3860

Find your local number: [https://mainestate.zoom.us/u/kdGlnAICuR](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fmainestate.zoom.us%2Fu%2FkdGlnAICuR&data=05%7C02%7CJ.Chris.Parr%40maine.gov%7C8330baaf2c5446d044c808ddebe403a0%7C413fa8ab207d4b629bcdea1a8f2f864e%7C0%7C0%7C638926086721668837%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIlYiOiIwLjAuMDAwMCIsIlAiOiJXaW4zMiIsIkFOIjoiTWFpbCIsIldUIjoyfQ%3D%3D%7C0%7C%7C%7C&sdata=OMcOJK0zjwNWwT2YEXDKi7BUHeqWyfAoOSv%2FWwhh6I0%3D&reserved=0)

**COMMENT DEADLINE:** October 9, 2025

**CONTACT PERSON FOR THIS FILING**:

Heather Pelletier, Social Services Program Manager

Office of MaineCare Services

11 State House Station

242 State Street

Augusta, Maine 04333-0011

heather.pelletier@maine.gov

TEL: (207) 287-2286 FAX: (207) 287-6106 TDD/TTY: 711

**CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT** *(if different)*:

**FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES** *(if any)*: This rule makes changes to hospital MaineCare reimbursement.

**STATUTORY AUTHORITY FOR THIS RULE:** 22 M.R.S. §§ 1714-D, 42, 42(8), 1714-D, 3173-J; P.L. 2023, CH. 643, §§ LL-1, LL-2

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

**AGENCY WEBSITE:** <https://www.maine.gov/dhhs/oms>

**EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON:** Emily.A.Cathcart@maine.gov

# **ADOPTIONS**

AGENCY: Department of Professional and Financial Regulation, Bureau of Consumer Credit Protection

**CHAPTER NUMBER AND TITLE: 02-030 C.M.R. Ch. 709, License and Renewal Fees and Application Requirements for Maine’s Money Transmitter Licensing and Requirements for Licensing Through the Nationwide Multistate Licensing System (NMLS)**

**ADOPTION FILING NUMBER: 2025-166**

**CONCISE SUMMARY:**

This rule amends unhosted wallet provisions to make it possible for crypto businesses to comply with Maine’s requirements. It also address some technical drafting issues in the prior rule.

**EFFECTIVE DATE: September 10, 2025**

**AGENCY CONTACT PERSON:** Linda Conti

AGENCY NAME: Bureau of Consumer Credit Protection

ADDRESS: 35 State House Station, Augusta, ME 04333

TELEPHONE: (207) 624-8527

AGENCY: Department of Health and Human Services, Division of Licensing and Certification

**CHAPTER NUMBER AND TITLE: 10-144 C.M.R. Ch. 108, Home and Community Support Service Agencies Licensing Rule**

**ADOPTION FILING NUMBER: 2025-173 (EMERGENCY ADOPTION)**

**CONCISE SUMMARY:**

This emergency rulemaking operationalizes the statutory requirements of 34-B M.R.S. § 1203-B, Licenses for agencies that provide services to adults with certain conditions. Under this statute, any agency that provides a service, if that service is funded in whole or in part by the Department, to an adult with an intellectual disability, autism spectrum disorder, a related condition or an acquired brain injury, including a service provided under 22 M.R.S. § 3089 must obtain a license. By statute, licensure is required for providers of services regarding case management or care coordination, home support, community support, employment support, personal support, residential services, and residential care facilities. However, under the emergency rule, only those providers currently licensed pursuant to 10-144 C.M.R. ch. 113, which governs assisted housing programs, who meet the criteria for licensure under Chapter 108 are required to apply for licensure. A routine technical rule that will be applicable to all HCSS providers is simultaneously being proposed.

The rule provides standards pertaining to administration, staff, quality of care, health and safety of clients, among other things, that will be used to determine whether an agency is qualified for licensure and to regulate licensed agencies. The rule also establishes licensing procedures, enforcement procedures, and violations.

**EFFECTIVE DATE: Wednesday, September 3, 2025**

**AGENCY CONTACT PERSON:**

NAME: Jonathan Leach

ADDRESS: Division of Licensing and Certification

 11 SHS

41 Anthony Ave.

Augusta, ME 04330

TELEPHONE: (207) 287-5825

E-MAIL ADDRESS: Jonathan.leach@maine.gov

AGENCY WEBSITE: <https://www.maine.gov/dhhs/about/rulemaking>

AGENCY: Secretary of State, Bureau of Motor Vehicles

**CHAPTER NUMBER AND TITLE: 29-250 C.M.R. Ch. 103, Rules for Vehicle Dealers, Auctions, Transporters, Recyclers, Mobile Crushers, and Loaners**

**ADOPTION FILING NUMBER: 2025-174**

**CONCISE SUMMARY:**

This rule establishes the requirements for licensing and for receipt of registration plates for vehicle dealers, persons in the business of conducting vehicle auctions, vehicle recyclers, mobile crushers, and holders of loaner and transporter plates. The rule sets forth required facilities, equipment, records and hours and describe required application procedures. The rule also establishes requirements for annexes and for secondary locations.

The adopted rule changes the format to reduce redundancy; it combines the requirements for application into one singular section for all license types rather than being repeated throughout each license type. Likewise, all Dealer plate requirements are also combined into a single section for ease in reference. The updated rule also includes requirements for the Trailer Transit License that were previously outlined in Rule Chapter 158 to address the Trailer Transit permit; the Chapter 158 rule is being repealed simultaneously with the changes adopted in Chapter 103. Given that statute now refers to Trailer Transit as a license under 29-A M.R.S.A. §954.6, it is necessary to hold these license applicants to the same requirements as all other license holders for consistency and fairness; exceptions to some of the requirements are delineated within the application section. Separate MAPA documents will be submitted simultaneously to repeal Rule Chapter 158.

**EFFECTIVE DATE**: **Sunday, September 14, 2025**

**AGENCY CONTACT PERSON:** Derek F. Dinsmore

AGENCY NAME: Bureau of Motor Vehicles

ADDRESS: 101 Hospital Street, Augusta, Maine 04330

TELEPHONE: 207-624-9000 ext. 52144

AGENCY: Secretary of State, Bureau of Motor Vehicles

**CHAPTER NUMBER AND TITLE: 29-250 C.M.R. Ch. 158, Administration of Trailer Transit Plates**

**ADOPTION FILING NUMBER: 2025-175**

**CONCISE SUMMARY:**

This rule, which established the requirements for the use of trailer transit plates pursuant to 29-A M.R.S.A. Section 462, sub-section 8, is repealed through the adopted rulemaking. Simultaneously, the SOS BMV is adopting changes under chapter 103, Licensing of Dealers, to include the regulation of trailer transit plates and the associated license in chapter 103. The SOS BMV is repealing chapter 158 due to the fact that this is now a license type and as such should fall under the same rule as all other dealer licenses. Trailer transit holders are no longer regulated under 29-A M.R.S.A §462.8.

EFF**ECTIVE DATE: Sunday, September 14, 2025**

**AGENCY CONTACT PERSON:** Derek F. Dinsmore

AGENCY NAME: Bureau of Motor Vehicles

ADDRESS: 101 Hospital Street, Augusta, Maine 04330

TELEPHONE: 207-624-9000 ext. 52144