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Legislative Document

No. 1077

S.P. 345

In Senate, March 11, 2021

Resolve, To Promote Equity in COVID-19 Immunizations

(EMERGENCY)

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator LIBBY of Androscoggin.

Cosponsored by Representative TALBOT ROSS of Portland and

Senators: CLAXTON of Androscoggin, DAUGHTRY of Cumberland, President JACKSON of Aroostook, VITELLI of Sagadahoc, Representatives: BROOKS of Lewiston, CLOUTIER of Lewiston, CRAVEN of Lewiston, MEYER of Eliot.

1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** the spread of the novel coronavirus disease referred to as COVID-19 has
4 created a public health emergency; and

5 **Whereas,** in response to this widespread disease, the World Health Organization has
6 declared a pandemic, the President of the United States has declared a national emergency
7 and the Governor of Maine has declared a civil state of emergency; and

8 **Whereas,** historically vulnerable populations in Maine have been disproportionately
9 affected by COVID-19; and

10 **Whereas,** COVID-19 vaccine development and distribution by the federal program
11 Operation Warp Speed is ongoing; and

12 **Whereas,** the advisory committee on immunization practices for the federal Centers
13 for Disease Control and Prevention has made recommendations for priority of COVID-19
14 vaccinations; and

15 **Whereas,** Maine's Department of Health and Human Services is developing and
16 implementing criteria, priorities and plans for the administration of COVID-19
17 vaccinations; and

18 **Whereas,** equitable access to COVID-19 vaccinations is essential to combatting this
19 pandemic; and

20 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
21 the meaning of the Constitution of Maine and require the following legislation as
22 immediately necessary for the preservation of the public peace, health and safety; now,
23 therefore, be it

24 **Sec. 1. Department of Health and Human Services to provide outreach and**
25 **education related to COVID-19 vaccines to rural populations and historically**
26 **vulnerable populations. Resolved:** That, within existing resources, including any
27 federal funds, the Department of Health and Human Services shall implement a program
28 providing outreach and education to rural populations and to historically vulnerable
29 populations that includes information about where and how to receive a COVID-19
30 vaccine, vaccine safety and disease prevention. Outreach under this program must be
31 tailored to rural populations and to historically vulnerable populations and must use
32 methods that are likely to reach those populations, including but not limited to direct phone
33 calls.

34 **Sec. 2. Department of Health and Human Services to increase MaineCare**
35 **reimbursement rates for COVID-19 vaccine administration. Resolved:** That
36 the Department of Health and Human Services shall amend rule Chapter 101: MaineCare
37 Benefits Manual, Chapter I, Section 5, COVID-19 Public Health Emergency Services to
38 provide that the activities associated with the administration of COVID-19 vaccines are
39 reimbursed to the maximum extent allowable under federal law. The Department of Health
40 and Human Services shall submit a request for a waiver or state plan amendment to the
41 United States Department of Health and Human Services, Centers for Medicare and
42 Medicaid Services as necessary to implement this section. Rules adopted pursuant to this

1 section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter
2 375, subchapter 2-A.

3 **Sec. 3. Department of Health and Human Services to report to the Joint**
4 **Standing Committee on Health and Human Services on COVID-19**
5 **vaccinations. Resolved:** That beginning 7 days after the effective date of this legislation
6 and every 6 weeks thereafter until the end of the Governor's declaration of a state of
7 emergency due to COVID-19, the Department of Health and Human Services shall report
8 to the Joint Standing Committee on Health and Human Services on the progress the State
9 is making in vaccinating state residents with COVID-19 vaccines. This report must
10 include, but may not be limited to, data on the vaccination of state residents generally and
11 of historically vulnerable populations and the activities around and success of public
12 education and outreach efforts.

13 **Emergency clause.** In view of the emergency cited in the preamble, this legislation
14 takes effect when approved.

15 SUMMARY

16 This resolve requires the Department of Health and Human Services to:

17 1. Implement an outreach and education program, using existing resources, including
18 federal funding sources, that is tailored to reach rural populations and historically
19 vulnerable populations with information about where and how to receive a COVID-19
20 vaccine, vaccine safety and disease prevention;

21 2. Amend its rules in Chapter 101: MaineCare Benefits Manual, Chapter I, Section 5,
22 COVID-19 Public Health Emergency Services to provide that the activities associated with
23 the administration of COVID-19 vaccines under the MaineCare program are reimbursed to
24 the maximum extent allowable under federal law; and

25 3. Report to the Joint Standing Committee on Health and Human Services on the
26 progress the State is making in vaccinating state residents with COVID-19 vaccines
27 beginning 7 days after the effective date of this legislation and every 6 weeks thereafter
28 until the end of the Governor's declaration of a state of emergency due to COVID-19.