

CHAPTER 855-D
SPECIAL PROVISIONS

§3275. Applicability of chapter

The provisions of this chapter apply only to so much of state supplemental income to the blind, disabled and elderly as is administered directly by the department, and not to so much thereof as is administered by the secretary. When the administration of any portion of the state supplemental income program is transferred to the secretary, these provisions shall no longer apply to such portion of the state supplemental income program. [PL 1973, c. 790, §3 (NEW).]

SECTION HISTORY

PL 1973, c. 790, §3 (NEW).

§3276. Disqualification

A beneficiary of state supplemental income not administered by the secretary is disqualified from receiving benefits unless the beneficiary files with the department, whenever the department requires it, information concerning the beneficiary's income, assets and other conditions relating to the beneficiary's financial circumstances. [RR 2021, c. 2, Pt. B, §168 (COR).]

SECTION HISTORY

PL 1973, c. 790, §3 (NEW). RR 2021, c. 2, Pt. B, §168 (COR).

§3277. Regulations

The department shall promulgate such temporary rules and regulations, consistent with the laws of the State of Maine, which are necessary or desirable for administration of this Part. The effect of such rules shall terminate on July 1, 1975. [PL 1973, c. 790, §3 (NEW).]

SECTION HISTORY

PL 1973, c. 790, §3 (NEW).

§3278. Applicability of other sections

Sections 3178, 3179, 3180, 3181, 3182, 3183 and 3184 apply to this Part. [PL 1973, c. 790, §3 (NEW).]

SECTION HISTORY

PL 1973, c. 790, §3 (NEW).

§3279. Unindorsed checks; procedure

When, for any reason, a person who has been determined to be eligible for state supplemental income is unable to indorse the check for the last payment approved for the recipient prior to the recipient's death, the department may approve payment by the State of obligations incurred by the recipient for board and room in anticipation of the receipt of the check, the payments to be authorized in accordance with the rules of the department. A claim that may be paid under this section must be presented to the department in writing within 60 days of the date of the death of the eligible person. [RR 2021, c. 2, Pt. B, §169 (COR).]

SECTION HISTORY

PL 1973, c. 790, §3 (NEW). RR 2021, c. 2, Pt. B, §169 (COR).

§3280. Liability of relatives

The spouse of a beneficiary of state supplemental income is, if of sufficient ability, responsible for the partial or total support of the beneficiary. In determining the ability of such a spouse, the spouse's assets as well as the spouse's income must be considered. [RR 2021, c. 2, Pt. B, §170 (COR).]

The Attorney General shall bring proceedings in the name of the State of Maine in any court of competent jurisdiction to compel any person liable under this section to contribute to the support of any recipient of such benefit, if, after reasonable efforts on the part of the department, voluntary contributions have not been made. The court shall determine a fair and reasonable amount for support to be paid by the defendant to the department as reimbursement for moneys furnished to a recipient. [PL 1973, c. 790, §3 (NEW).]

The action must be brought as a petition for support upon not less than 7 days' notice. Upon failure to pay the support ordered, execution must issue. The State shall pay the expense of commitment and support when the defendant is committed to jail on execution and the defendant may be discharged in the same manner as provided by Title 19-A, section 952. [RR 1997, c. 2, §47 (COR).]

The department shall encourage and stimulate voluntary contributions from the parents and adult children of the recipients of such aid, if such relatives are of sufficient ability to contribute toward the support of such recipients. [PL 1973, c. 790, §3 (NEW).]

SECTION HISTORY

PL 1973, c. 790, §3 (NEW). RR 1997, c. 2, §47 (COR). RR 2021, c. 2, Pt. B, §170 (COR).

§3281. Civil rights

The state supplemental income program shall be conducted in accordance with Title VI of the Civil Rights Act, as amended. [PL 1973, c. 790, §3 (NEW).]

SECTION HISTORY

PL 1973, c. 790, §3 (NEW).

§3282. Provisions severable

The provisions of chapters 855, 855-A, 855-B, 855-C and 855-D are severable and, if any of the provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect nor impair any of the remaining provisions. If any of the provisions of said chapters shall be in violation of the provisions of the Federal Social Security Act as in effect on April 1, 1974, such provision shall be null and void and the department shall, in that event, take such action as is consistent with the intent of this Act and as is necessary to continue participation by the State of Maine in the program authorized by Title XVI of the United States Social Security Act, as amended. If any of the provisions of this Act shall be in violation of any amendment to the Social Security Act which shall take effect subsequent to April 1, 1974, the department shall recommend to the Legislature legislation which is necessary or desirable to conform the laws of the State to such amendments. [PL 1975, c. 623, §29 (AMD).]

SECTION HISTORY

PL 1973, c. 790, §3 (NEW). PL 1975, c. 623, §29 (AMD).

§3283. Medical expenses for catastrophic illness

(REPEALED)

SECTION HISTORY

PL 1975, c. 293, §4 (AMD). PL 1975, c. 623, §30 (NEW). PL 1975, c. 679, §2 (AMD). PL 1977, c. 714, §6 (RP).

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