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STATE OF MAINE  
 ONE HUNDRED AND THIRTY-FIRST LEGISLATURE  
 COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

To: Senator Margaret Rotundo, Senate Chair  
 Representative Melanie Sachs, House Chair  
 Joint Standing Committee on Appropriations and Financial Affairs ("AFA")

From: Senator Pinny Beebe-Center, Senate Chair *PBC - SG*  
 Representative Suzanne Salisbury, House Chair *SS - SG*  
 Joint Standing Committee on Criminal Justice and Public Safety ("CJPS")

Date: May 26, 2023

**Re: Committee review of Change Package to the Governor's Proposed Biennial Budget, LD 258, An Act Making Unified Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of State Government and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2023, June 30, 2024 and June 30, 2025**

CJPS met May 25, 2023 to discuss the Change Package to the Governor's Proposed Biennial Budget ("Budget"). Specifically, at the meeting the committee heard from the Commissioner and Associate Commissioner of the Maine Department of Corrections ("MDOC") regarding the proposed increases to the Department of Corrections Correctional Medical Services Fund (the "Fund") in the amount of \$7,935,146 for FY 2023-24 and \$9,591,522 for FY 2024-25. This amount represents a net increase of \$17,526,000 from the Fund in the initial Budget proposal.

The MDOC informed the committee that the increase to the Fund was the result of two items. First, there was an increase in the contract price with the MDOC's current healthcare provider, Wellpath, and after the Request for Proposal ("RFP") and bidding process, Wellpath presented the best option for MDOC to continue providing its healthcare services. The MDOC also informed the committee that, because the contract was being negotiated during initial consideration of the Governor's Proposed Budget, additional amounts for the Fund were not included in the initial Budget.

MDOC also discussed with CJPS the drastic increase in the contract prices between FY 2023 – 2025 as compared to previous years. CJPS was concerned about the high increase itself and whether this trajectory would continue into the future. MDOC clarified that this was an "adjustment cost" and they did not expect to see that level of increase to continue in the future.

In addition, CJPS raised strong concerns about Wellpath being used as a vendor for correctional healthcare services based on reports and reviews from other states that had used Wellpath as a

vendor. CJPS shared its concerns with MDOC and learned from MDOC about the process used to review the services provided.

Ultimately, during discussions members expressed a considerable amount of concern with the MDOC and its process for negotiating a new contract and properly controlling costs. Members did, however, acknowledge that the MDOC performed due diligence and considered all available options, and the new contract with Wellpath represents the best option for providing healthcare services to residents in MDOC facilities. Members also acknowledged that beginning the RFP process again and looking for a new provider would not result in any lower costs. Finally, the committee encouraged MDOC to continue to monitor the services Wellpath is providing to ensure that residents in Maine's correctional facilities are being provided with adequate healthcare services and Wellpath is upholding its commitment to serving that community.

In sum, after careful consideration, CJPS members present voted unanimously to recommend AFA approve the Fund as it is presented in the Change Package.<sup>1</sup>

CJPS thanks AFA for its time and consideration of its recommendations and the additional information the committee felt necessary to provide.

cc: Members of the Joint Standing Committee on Criminal Justice and Public Safety

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<sup>1</sup> Those present and voting included the following members: Sen. Pinny Beebe-Center, Rep. Suzanne Salisbury, Rep. Robert Nutting, Rep. Grayson Lookner, Rep. Tavis Rock Hasenfus, Rep. Nina Milliken, Rep. Kristi Mathieson, Rep. Colleen Madigan.

Please ADD the following to Part A, Section 1 of LD 258 as follows:

Corrections, Department of

**CORRECTIONAL MEDICAL SERVICES FUND 0286**

2023-24

2024-25

**Initiative:** Provides funding for increased medical services costs.

**GENERAL FUND**

All Other

7,935,146

9,591,522

Total

7,935,146

9,591,522