Maine Equal Justice is a nonprofit legal aid provider working to increase economic security, opportunity, and equity for people in Maine.

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Highs and Lows of the Legislative Session: how did low-income Mainers fare?

Passage of LIFT (LD 1774) and STEP (LD 1772), two bills developed from the Invest in Tomorrow Initiative’s policy agenda, will lift thousands of kids and families out of poverty each year.

The Invest in Tomorrow bill package will help reduce the “benefit cliff” so parents can successfully transition into employment, increase access to education and training for low-income parents, and increase accountability for the state to reduce child poverty in Maine.

In more good news, the legislature unanimously passed LD 1671, an expansion of Maine’s Earned Income Tax Credit that will impact approximately 100,000 low- and middle-income households. The bill more than doubles Maine’s credit for working families and expands eligibility to 18- to 24-year-olds without children.

Several bills related to our newest area of policy expertise, consumer rights, succeeded. The Student Loan Bill of Rights, now law, will make meaningful updates to the law to protect student borrowers.

Maine will also see some positive advances when it comes to access to health care in 2019. With passage of LD 761, people leaving incarceration will have access to Medicaid coverage (health care) and SNAP (food assistance), if they are eligible, within 24 hours of release. This victory is important as hundreds of Mainers re-enter their communities each year with a complex set of needs without necessary supports, and too many are reincarcerated within a short time after release. Maine law now also ensures that abortion is accessible and affordable no matter where a woman lives, how much money she makes, or what kind of insurance she has.

The end of the legislative session came with some deep disappointments, too. Senators chose not to take action on a bill we advanced to support new immigrants in Maine (LD 1317), after it had passed the House on an 88-51 vote. The bill would have restored access to life-sustaining assistance to people seeking asylum and certain other immigrants seeking safety and security here. Despite this setback, the Mills administration has the authority and the money to help people seeking asylum in Maine. We have strongly urged the Administration to act immediately to provide general assistance to these families and individuals who have fled violence and many hardships to build new lives in our state.

And a priority bill to create a comprehensive dental benefit in MaineCare, LD 1453, was stripped of its most important element. The House and Senate passed an amended version of the dental access bill, to create a working group, which would lay the groundwork for a benefit next year. Then, Governor Mills elected not to sign the working group into law after it was passed by the legislature, so it has been “carried over” until next year.
The Legislature strongly supports a dental benefit for low-income Mainers. LD 1453 had a unanimous, bipartisan vote out of committee and the full House and Senate voted unanimously to pass the full benefit before it was amended later in the Appropriations Committee. In addition to the dozens of impacted people who came to Augusta to advocate and share their stories, dental providers worked to pass the bill because they want to see our health care system work better. We were unable to achieve a dental benefit this year because the administration was not prepared to support it, but we are bringing the coalition of supporters together to determine a way forward.

Many urgent priorities like dental access and basic supports for our immigrant communities went unfunded this year. If we want to achieve equity and grow Maine’s economy, we need to ensure people’s basic needs are met and provide opportunities for everyone. Maine Equal Justice will continue to stand for state budgetary decisions that are guided by what the community needs to thrive and prosper.

We will not back down from our efforts to get these priorities passed and funded! We will keep working to create a safe, welcoming Maine where people of all walks of life and backgrounds can live with economic security and quality health care, including dental care.

**MAINERS WORK TO ADDRESS SYSTEMIC RACISM**

Maine Equal Justice is working alongside legislators, their constituents, and other advocacy organizations to do our part to ensure all Mainers, whether they’re white, black, or brown, can meet their basic needs and access economic opportunities.

We are grateful to Rep. Rachel Talbot Ross for leading the effort to create the “Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations in Maine.” Rep Talbot Ross explained to Maine Public at the bill’s signing, “[The Commission] will advise the governor and the state legislature on issues related to disparities, disparities that are the product of systemic and structural racism…and hopefully you’ll see new policy coming forward because of the group.”

Maine Equal Justice testified in support of the bill to create the Commission, describing the connection between anti-poverty and anti-racism work. The numbers are staggering and the persistent experience of institutional racism by people of color in Maine is unacceptable. “While approximately 15% of white children in Maine live in poverty, the rate is over 40% for children from Maine’s tribes and over 53% for children from Maine’s black or African American families...As we strive to move all Maine children out of poverty, we must also find ways to decrease the disparities in child poverty by race or ethnicity.”

Another successful bill introduced by Rep. Talbot Ross, which Maine Equal Justice worked to advance, will make sure that those being released from prison have access to food assistance (SNAP) and Medicaid (MaineCare) while they get on their feet. A disproportionate number of people of color are incarcerated as a result of systemic racism in the criminal justice system in America, and Maine is no exception. Black Mainers are six times more likely to be incarcerated than white Mainers and there is extensive evidence showing that Black people are treated more harshly at every phase in the criminal justice system in our country.

For the first time ever, Maine legislators came together for important trainings to move the needle on racial justice education and policy in our state. These included trainings focused on racial justice, implicit bias, and tribal and state relations. We hope to see these trainings continue for future legislatures and that these are the first of many steps toward educating policymakers about their significant role in addressing systemic racism and reducing persistent disparities based on race in Maine.

We can be proud that Maine has taken these steps against a national political backdrop that has brought racism, xenophobia, and religious intolerance to the fore. But we can’t rest here; there
is much we can do to come together across racial differences to build a more equitable society. If we are going to advance economic opportunity and equity in Maine, we must work to target and shrink disparities that our current systems and institutions perpetuate.

TEAM UPDATES

Ann Danforth is MEJ’s newest Policy Analyst. Ann comes to us from her previous role as a Senior State Advocacy Manager with Community Catalyst and the Raising Women’s Voices initiative. After working in New York for a number of years, she is excited to return home to Maine. Ann brings her social work background and a strong commitment to equity to her work.

Susan Hamlett has joined MEJ as a Paralegal. Sue has worked in social services in Maine for more than 25 years, including mental health, domestic violence, health insurance, and public benefits. She believes that storytelling has the power to change hearts, lives, and public policy. Sue was recently ordained as an Interfaith Chaplain by the Chaplaincy Institute of Maine.

There was joy in the large, wooden paneled Cabinet Room of the state house in late June, as families stood with legislative leaders and advocates and watched the Governor sign two bills into law. The bills, LIFT and STEP, were part of the Invest in Tomorrow anti-child-poverty agenda and will make meaningful improvements in the basic supports and opportunities available to parents with low income and their kids.

Allina Diaz, a mother of three (pictured above testifying for the bill) knows firsthand the difference this legislation will make in peoples’ lives. Allina is continuing her education in the Parents as Scholars program and sees education as a pathway out of poverty. She said, “This law means so much, not just for parents and their kids, but whole communities. When you help one person out of poverty, it gives them hope and that touches everyone around them and gives more people the chance to support each other. There are so many unseen effects from a change like this, so many people who have so much potential that will now be reached.”

The Invest in Tomorrow bill package will take a significant step forward to advance the long-term goals of the Invest in Tomorrow initiative. Last year Maine Equal Justice joined with key stakeholders from across Maine to launch the initiative, a long-term collaborative effort to reduce child poverty by half and eliminate it in a generation. Based on extensive community input, the initiative published a report (see: www.investintomorrow.me, along with
a list of stakeholders and more in-depth information) laying out a roadmap to make these goals a reality—by ensuring access to basic needs and increasing economic opportunities. The Invest in Tomorrow bill package will advance these goals by making changes to reduce the “benefits cliff” families face when they transition off public assistance into employment, providing funds to support non-profits using a “whole-family” approach, increasing access to TANF with elimination of the “gross income test”, and improving access to the Parents as Scholars program.

In keeping with the spirit of the initiative, passage of the bipartisan bill package marked a less divisive moment in our politics when lawmakers came together to recognize that we all have a stake in solving child poverty. House Speaker Sara Gideon (D-Freeport) sponsored LD 1774, An Act to Reduce Child Poverty by Leveraging Investments so Families can Thrive (LIFT) and Assistant House Minority Leader Trey Stewart (R-Presque Isle) sponsored LD 1772, An Act to Secure Transitions to Economic Prosperity for Maine Families and Children (STEP). Both bills passed unanimously in the House and Senate.

TEAM UPDATES

Samarali Daniels has joined MEJ as a Community Outreach Advocate. She is a mother of 5 and a proud grandmother! She enjoys reading, playing video games, and cooking. Before working for Maine Equal Justice, she was a member of the Policy Council for Southern Kennebec Child Development Corporation where she learned leadership skills and was a member of the Equal Justice Partners Circle where she was taught the power/value of lived experience.

Ambureen Rana has joined MEJ as a Community Organizer and is wrapping up their first year. They studied Biology at the University of Maine and spent the following three years working as an organizer with LGBTQ+ people across the state. Ambureen comes to this work with the goal of eliminating stigma and restoring dignity to all people. In their free time, Ambureen likes to spend their time stitching radical embroidery.

STUDENT LOAN BILL OF RIGHTS IS A NEW PILLAR OF CONSUMER RIGHTS LAW IN MAINE

Beginning in 2018, Maine Equal Justice began to build a new area of expertise, Consumer Rights. We held a Consumer Finance Rights Summit last fall and added lawyer Michael Kebede as our Consumer Rights Advocate in early 2019. One of Michael’s first tasks was to work alongside groups like the Center for Responsible Lending and Maine Center for Economic Policy to pass LD 995, Maine’s Student Loan Bill of Rights, sponsored by Rep. Eloise Vitelli. The bill, now law, is one of the strongest of its kind in the country, offering protections for borrowers and new ways to ensure lenders are acting responsibly and fairly.

A lot is at stake for the one in five Mainers who carry student debt. Mainers collectively owe around $6 billion, and borrowers are both young and old. Unscrupulous practices by national lenders have added to the burden by pushing borrowers into payment plans they cannot afford, making them pay more than they can, or not sharing correct information borrowers need about the status of their loans.

Within the new law is an important provision that allows borrowers to sue lenders directly if they behave irresponsibly. Without private lawsuits, MEJ testified to the legislature, victims of servicers would have almost no way to directly enforce the rights secured by the Student Loan Bill of Rights. Enforcement rights only existed for the government, and federal and state enforcement activities sharply slowdown or speed up after every major election.

MEJ will publish client education to help Mainers understand their rights under the new law. The private right of action enables borrowers or co-signers to a money damages award equal to three times the total amount the borrower paid, attorneys fees, court costs, and in egregious cases, punitive damages.

Protection under the law for ME student borrowers!

☑ Requires student loan servicers to make borrowers aware of all the help that may be available to them to make their loans affordable.

☑ Creates a Student Loan Ombudsman who will be equipped with investigatory powers and will handle complaints about specific servicers.

☑ Gives borrowers the ability to directly sue servicers to ensure they live up to their obligations.
MAINECARE EXPANSION AT LAST: ONE BIG STEP BUT THE JOB IS NOT DONE

After years of grassroots action and the vocal insistence of Maine people, MaineCare Expansion has been implemented and thousands of Mainers finally have access to the health care they need!

To date, nearly 30,000 people have enrolled, and the number increases every day. For updates on enrollment by county check out: https://www.maine.gov/dhhs/expansion.shtml

DHHS is still processing a backlog of MaineCare Expansion applications. If you, or someone you know, believes that they should be eligible for MaineCare but have not been approved, please call Maine Equal Justice at 626-7058, ext 205. We can help you sort out your eligibility and make sure that your application is being correctly processed by DHHS.

It took years, a ton of persistence, a ballot initiative, a court case, and an election but Medicaid expansion is now a reality for Maine. Thanks to the efforts of our legal team, the State was forced to submit the state plan in September of 2018, so the federal government was able to approve coverage back to July 2, 2018 when the law became effective. This means that people who applied after that date and paid for health care services are eligible for retroactive coverage. The federal matching funds are also retroactive which unlocked nearly $9 million in federal funds for last year, and almost half a billion in federal funds for 2019.

While MaineCare Expansion is benefitting our economy, our rural hospitals, and tens of thousands of people, we must continue to take steps toward universal coverage so that everyone has access to the affordable care they need. We continue to hear from people who are falling through the cracks of our broken health care system.

Here are just a couple examples of people who recently called us for help because they cannot afford health care:

Nicole is a single person who works 35 hours week at $15/hour. Her gross annual income is $27,300. The annual limit to qualify for MaineCare Expansion is $17,236 so Nicole is over income. Because her employer does not offer health insurance, Nicole can purchase insurance on the Marketplace and can qualify for some “cost-sharing” savings if she selects a Silver plan. But Nicole needs a very high level of health care, so her out-of-pocket expenses each year are somewhere between $7,000 and $9,000 or about 25% of her gross income. This just isn’t affordable.

Sandra earns $25,000 annually. She pays $150/month towards the premium for her insurance. Her husband Dan earns about $26,000 annually working several jobs with no health coverage. They have a twelve-year-old daughter who is covered by MaineCare (CubCare), for a premium of $53/month. To cover Dan on Sandra’s insurance would cost them $600/month. The plan has a high deductible and Dan can’t buy insurance on the Marketplace because he is eligible to be insured under his wife’s plan.

While there is no question that MaineCare Expansion is a huge success and it has improved lives and prospects for many of our friends and neighbors, we still have work to do to create a system that gives all Mainers the health care they need and the health insurance that will protect their financial futures.

TEAM UPDATES

Frank D’Alessandro is MEJ’s new Litigation and Policy Director. Frank is an aging hippie lawyer who still believes in the long overdue glorious people’s revolution. He recently came to Maine Equal Justice from Pine Tree Legal Assistance where he had worked since 1986. Frank lives in a super insulated, passive solar heated, off the grid solar electric home with his wife Nan, the love of his life. He enjoys spending time with friends and family, playing with his grandson (Frankie), putting up wood for winter, and suing banks, landlords, debt collectors and various government agencies.

Michael Kebede has joined MEJ as the Consumer Rights Advocate. Michael is an Ethio-American millennial who prefers the company of people who
REFORMING AND REBUILDING A BROKEN DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS)

All Mainers should be able to meet their most basic needs and lead safe, healthy lives where they can reach their full potential. This is the essence of DHHS’s mission.

But for too long, MEJ has heard from people seeking help at DHHS who face barriers that are inconsistent with this overarching goal. People often experience long wait times, lost paperwork, incorrect and unreliable information, a lack of cultural competence, and other preventable problems that have serious consequences. Mainers who have dealt with this system know the department needs more resources and staff and a true culture shift—away from a blame and shame mindset—in order to carry out its mission.

With a change in administration, we have a real opportunity to make systemic and lasting change for the better at DHHS.

In January, MEJ delivered a list of recommendations (available on our website, www.mejp.org) to improve policies and program delivery for DHHS. We followed up with a meeting in March between directly impacted Mainers, DHHS Commissioner Jeanne Lambrew, and members of her staff to provide real-life examples of the dysfunction and discuss possible solutions. Commissioner Lambrew and her staff have expressed empathy and openness to change. MEJ staff continue to provide timely updates about issues our clients are experiencing and are working with the department to resolve them as quickly as possible.

Our clients often say that once Maine Equal Justice is involved, issues that seemed intractable can be resolved quickly. But systemic change is needed to ensure everyone, not just people who seek legal help, is treated fairly and can access the basic supports and opportunities they need to find steady, well-paying jobs.

We have heard from many people about the need for reform when it comes to Fedcap, the private organization DHHS contracts with to administer Temporary Assistance for Needy Families (TANF). DHHS sent a public warning letter to Fedcap in March telling Fedcap to fix certain problems. We’re working to ensure that these problems are resolved, and launched a survey in July to hear from more Fedcap participants. We’re reaching out to caseworkers and partner organizations, among others. The survey is available at https://maineequaljustice.org/dhhsreform/.

Anyone who is experiencing difficulties with Fedcap or would like more information about their rights can contact Moriah at (207) 626-7058, extension 212.

Moriah Geer is MEJ’s Moxie Case Coach/Paralegal. Moriah is a graduate student in the University of Maine’s Social Work program and will graduate in 2020. Moriah started college in 2011 after being homeless with her two young children. She believed that getting a college degree was the best way to create a stable future for her family, and chose social work to pursue a career where she could be part of helping others to achieve their own best lives. Moriah also serves on the Old Town Maine school board, working to ensure that all students have equal access to an excellent education. Moriah lives in Old Town with her two children and her wonderfully supportive partner Charles.
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