Meeting of the Paid Family and Medical Leave Benefits Authority

Tuesday September 29, 2026, 9:00am

Frances Perkins Room, 45 Commerce Drive, Augusta ME

Authority members in attendance:

- Maria Fox, Chair
- Samuel J. Hight, Vice Chair (remote)
- David Barber
- Tina Bonney
- Sarah Conroy
- Michelle Corry
- Kim Davis (remote)
- Laura Fortman
- Benjamin Grant
- Brieanna Gutierrez (remote)
- Jenni Tilton-Flood
- Christopher Washburn

Staff members in attendance:

- Director, Luke Monahan
- Deputy Director, Reggie Parson
- Private Plans and Appeals Unit Chief, Judith Shaw
- Finance and Audit Division Director, Timothy Applegate
- Claims Administration Division Director, Sarah Brydon
- AAG, Nancy Macirowski
- OAII, Heather Grout
- OAII, Lisa Montagna

Chair Fox welcomed attendees and recommended to the Authority the adoption of meeting minutes from the previous meeting. Authority Member Conroy moved to approve the minutes, Authority Member Barber seconded. The minutes were approved unanimously.

Chair Fox opened public comment at 9:05am.

The Benefits Authority received public comment from the following individuals:

- James Tracy, Sydney
- Hanna Gregory, Maine Coalition to End Domestic Violence
- Elissa Hamblen, HR Director, Matthews Brothers Company, Belfast
- Amanda Johnson, Maine State Chamber of Commerce, Augusta
- Destie Holman Sprague, Maine Women's Lobby, Maine Paid Leave Coalition, Augusta
- Janet Kelle, HR Director, Maine Municipal Association, Augusta
- Davis Cox, HR for The Opportunity Alliance, South Portland
- Betsy Oulton, HR Maine Consulting (online)
- Lynn Morang, Cape Elizabeth (online)
- Matthew Levin, Director of Hotels in Camden-Rockport (online)
- Aspen Ruhlin, Community Engagement Manager, Mable Wadsworth Center, Bangor (online)
- Joyce Caldwell, Hamden, PT Employee Home Depot (online)
- Andrea Herr, HR Manager, Living Innovations (online)
- Carolyn Hricko, Maine Doula Coalition (online)
- Rich D'Albert, PFML Program Manager, The Partners Group (online)
- Catherine Buxton, Workforce Policy Advocate, Maine Equal Justice (online)
- Suzanna Gallant, HR Director, Lewiston Public Schools (online)
- Esther Pew, Senior Organizer, Maine People's Alliance (online)
- Brook Minner, on behalf of a Teacher in Maine (online)
- Joseph King, Gorham Maine, Hub International Employee Benefits Advisor (online)
- Fran Prentice, HR Coordinator, MSAD 51 Cumberland/North Yarmouth (online)
- Kara Shamsi, HR Professional, large Maine mental health organization (online)
- Jennifer Pooler, Executive Director, Maine Association of School Business Officials, (online)
- Jeffrey Young, Attorney representing Employees, for Solidarity Law (online)
- Samantha Garnett Sias, Business Manager, Regional School Unit 4 (online)
- Tina Webb, HR Manager, Quirk Auto Dealerships (online)

Chair Fox closed public comment at 10:40am.

Chair Fox opened the floor for Authority Members to discuss public comments received at 10:55.

A discussion occurred around these issues:

- The 7-day waiting period for benefits to be paid to a birthing mother on medical leave has created an inequity from parents taking leave to bond with a child, which requires no waiting period. If this is to be changed it must be through legislation. Starting January 1, 2027, medical leave benefits are going to be taxed differently than family leave benefits. The Actuary will model out how it would affect the fund if the 7-day waiting period was waved for birthing mothers, and if it was waved for all medical leaves.
- How public schools are managing leaves with different types of employees. Schools have different types of employees who aren't covered by the same contracts. There are day-to-day classroom coverage concerns with employees taking intermittent leave.
- Application support and process guides to be created and shared with organizations supporting safe leave as well as the public.
- Undue hardship is treated case by case in the state plan, with the purpose to find a remediation. Access to undue hardship in private plans is dependent upon what the employer buys as a product.
- The deadline for decisions in the state plan is roughly 15 days, as there is a 10-day window for Aflac to receive forms, and then they have 5 days for verification. Aflac doesn't automatically deny at 15 days, because it is often a failure to send in medical paperwork that delays a claim. So, they allow a grace period of about 10 days. Private Plans vary from carrier to carrier, and carriers have timelines within their policies that they may not be adhering to. It is up to the employer to address adherence timelines with their chosen carrier.
- The Benefit Estimator on the website is too confusing and complex. Authority Member Bonney made a motion to remove the Benefits Estimator due to inaccuracy and keep the Benefits Chart for general reference. Authority Member Tilton-Flood seconded. All were in favor, and the motion was approved.
- 120 days job protection for & day 1 start for portable benefits if an employee qualifies prior to starting a new job, then goes on leave the first week. An employee could be let go within 120 days for not meeting job needs. As the law was written, an employee may still get leave, but no job protection within the first 120 days.
- Private plan versus public plan outreach is inequal. Employers who have chosen a private plan have a responsibility to communicate administrative needs of their carrier's offerings.
- Preapproval process for those applying for a leave in advance is allowed up to 60 days ahead of time for known leave. PFML benefits are unpaid until leave is taken.
- Deadline for providing documentation.

- Employee pay in some contract situations exceeded 100%. This is an issue on the employer end with employee communications.
- Parental reunification is not currently covered by bonding leave. This would need to be changed at the legislative level.
- Initial communication with Aflac has been strong. They need to shift focus to quality improvement with employers. It was suggested to add employer liaisons, and that employers designate their benefit contact in the Aflac system to receive email notifications. If employers are not getting emails, contact the call center.
- Retroactive applications are allowed in the statute up to 90 days following leave.

Discussions first occurred around points that can be addressed administratively, then those that would need legislative action.

Authority Member Tilton-Flood suggested capturing data by sectors for future reporting.

The next meeting is on October 28, which will be 9am – 12pm. Both the actuarial and claims data reports for Q1 will be discussed alongside possible legislative additions.

Authority Member Barber moved to adjourn, and this was seconded by Authority Member Corry. The Authority voted unanimously to adjourn at 1:08pm.