

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON HEALTH AND
HUMAN SERVICES**

May 2016

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STATE OF MAINE

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LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the Second Regular Session of the 127th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

CARRIED OVER..... carried over to a subsequent session of the Legislature
CON RES XXX..... chapter # of constitutional resolution passed by both houses
CONF CMTE UNABLE TO AGREE..... Committee of Conference unable to agree; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or PASSAGE..... emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT..... legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY..... ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 127th Legislature is July 29, 2016. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Health and Human Services

This bill provides funds to give adult family care homes, residential care facilities and Appendix C private nonmedical institutions a 4% cost-of-living rate increase in funding in the fiscal year beginning July 1, 2016. Annual cost-of-living adjustments are to be provided by rule for each fiscal year thereafter in accordance with the United States Department of Labor, Bureau of Labor Statistics Consumer Price Index medical care services index.

Committee Amendment "A" (S-402)

This amendment provides for two cost-of-living rate increases in funding rather than an annual ongoing increase. The 4% cost-of-living rate increase in funding in the fiscal year beginning July 1, 2016 remains the same as in the bill but with updated appropriation and allocation amounts. The second rate increase, for fiscal year 2017-18, is based on the Consumer Price Index medical care services index.

The substance of this bill and amendment was incorporated in Public Law 2015, chapter 481, Part C (LD 1606).

LD 1533

An Act To Provide an Annual Cost-of-living Adjustment to Nursing Facilities To Further Implement the Recommendations of the Commission To Study Long-term Care Facilities

**Died On
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURNS D POULIOT M	OTP-AM	S-381

This bill provides funds to provide an annual cost-of-living adjustment to nursing facilities under the MaineCare program.

Committee Amendment "A" (S-381)

This amendment adjusts the funding amounts in the bill to reflect more accurate estimates. It also directs the Department of Health and Human Services to amend its rules in Chapter 101: MaineCare Benefits Manual, Chapter III, Section 67, Principles of Reimbursement for Nursing Facilities to remove the requirement that cost-of-living adjustments received by nursing facilities must be applied to the wages and benefits of front line employees.

LD 1547 An Act To Facilitate Access to Naloxone Hydrochloride

PUBLIC 508

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GIDEON S BREEN C	OTP-AM ONTP	H-619 S-473 HASKELL A

This bill establishes the Naloxone Bulk Purchase Fund administered by the Office of the Attorney General for the purpose of providing funding to the Office of the Attorney General to make bulk purchases of naloxone hydrochloride that may be purchased by municipalities for use by first responders.

Committee Amendment "A" (H-619)

This amendment, which is the majority report of the committee, replaces the bill. It directs the Maine Board of Pharmacy to establish by rule procedures and standards for authorizing pharmacists to dispense naloxone hydrochloride. The rules must establish adequate training requirements and protocols for dispensing naloxone hydrochloride by prescription drug order, standing order or pursuant to a collaborative practice agreement. The amendment also clarifies current law to allow first responders to obtain the naloxone hydrochloride that they are authorized to administer. It provides criminal, civil and professional disciplinary immunities for persons who, acting in good faith and with reasonable care, possess, store, prescribe, dispense or administer naloxone hydrochloride in accordance with the governing law. The amendment also adds an emergency preamble and