

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2012 to July 10, 2013

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 9, 2013

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2013

**CHAPTER 15
H.P. 5 - L.D. 3**

Resolve, Regarding Legislative Review of Portions of the MaineCare Benefits Manual, Chapter III, Section 21: Home and Community Benefits for Adults with Intellectual Disabilities or Autistic Disorder, a Major Substantive Rule of the Department of Health and Human Services

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Adoption. Resolved: That final adoption of portions of the MaineCare Benefits Manual, Chapter III, Section 21: Home and Community Benefits for Adults with Intellectual Disabilities or Autistic Disorder, a provisionally adopted major substantive rule of the Department of Health and Human Services that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective May 10, 2013.

**CHAPTER 16
H.P. 55 - L.D. 63**

Resolve, To Direct the Commissioner of Inland Fisheries and Wildlife To Allow Veterans with Lower Limb Loss To Obtain "Any-deer" Hunting Permits

Sec. 1. "Any-deer" hunting permit rule change for veterans with lower limb loss. Resolved: That the Commissioner of Inland Fisheries and Wildlife shall amend Department of Inland Fisheries and Wildlife Rule Chapter 4: Hunting and Trapping to require the issuance of an "any-deer" hunting permit, upon application to the commissioner, to any veteran who holds a valid resident disabled veteran's hunting license and has lost all or part of one or more lower limbs, not including a partial foot amputation, in the wildlife management districts that have "any-deer" hunting permit allocations.

See title page for effective date.

**CHAPTER 17
H.P. 243 - L.D. 338**

Resolve, Directing the Department of Health and Human Services To Adopt Rules Governing the Use of Certain Antipsychotic Drugs by Children Enrolled in MaineCare

Sec. 1. Rules. Resolved: That the Department of Health and Human Services shall adopt rules pertaining to the use of atypical antipsychotic medications by a child under 17 years of age enrolled in MaineCare to require that the prescriber of atypical antipsychotic medication beyond the recommended period provide documented justification as to why the child should continue taking the medication and to require that the prescriber perform a timely assessment and ongoing monitoring of metabolic and neurologic variables of the child in accordance with the American Academy of Child and Adolescent Psychiatry's Practice Parameter for the Use of Atypical Antipsychotic Medications in Children and Adolescents. Rules adopted pursuant to this resolve are major substantive rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

See title page for effective date.
