

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-NINTH LEGISLATURE

FIRST SPECIAL SESSION

August 26, 2019

SECOND REGULAR SESSION

January 8, 2020 to March 17, 2020

**THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION**

NON-EMERGENCY LAWS IS

NOVEMBER 25, 2019

**THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION**

NON-EMERGENCY LAWS IS

JUNE 16, 2020

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

**Augusta, Maine
2020**

fits Manual, Chapters II and III, Section 65 for multi-systemic therapy, multisystemic therapy for problem sexualized behavior and functional family therapy by 20% for the period from the effective date of this resolve to June 30, 2020.

Sec. 2. Rate study. Resolved: That the Department of Health and Human Services shall contract with a 3rd party to conduct a rate study of reimbursement rates under rule Chapter 101: MaineCare Benefits Manual, Chapters II and III, Section 65 for multi-systemic therapy, multisystemic therapy for problem sexualized behavior and functional family therapy. The rate study must develop a rate that is set on a per case per week basis. The rate study must also take into account the costs to providers of delivering the services, including additional training, and maintenance of fidelity to the treatment models. The rate study must be completed no later than December 1, 2019.

Sec. 3. Report. Resolved: That the Department of Health and Human Services shall submit a report to the Joint Standing Committee on Health and Human Services with the findings of the rate study conducted pursuant to section 2 no later than January 30, 2020.

Sec. 4. Rulemaking. Resolved: That the Department of Health and Human Services is authorized to adopt rules to implement new rates developed pursuant to the rate study in section 2 as long as those rates are no lower than the rates of reimbursement that exist on April 1, 2019 and the federal Department of Health and Human Services, Centers for Medicare and Medicaid Services approves the reimbursement rates. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

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

Effective January 12, 2020.

CHAPTER 111

H.P. 1309 - L.D. 1838

Resolve, Requiring the Department of Health and Human Services To Examine Options for Upper Payment Limit Adjustments for MaineCare Services

Sec. 1. Department of Health and Human Services to examine upper payment limit options. Resolved: That the Department of Health and Human Services shall examine options and methodologies to increase the federally approved upper

payment limits for services provided under MaineCare. The department may contract with any consultant or 3rd-party organization that the department determines appropriate for this purpose. The department may consult with any stakeholders that the department determines appropriate for this purpose. The department shall report its findings, actions taken, adjustments to upper payment limits, negotiations with the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services and any necessary legislation to the Joint Standing Committee on Health and Human Services no later than January 15, 2020.

Sec. 2. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF

Office of MaineCare Services 0129

Initiative: Provides funding to contract with a 3rd party to examine upper payment limit options to increase federally approved limits for services provided under MaineCare.

GENERAL FUND	2019-20	2020-21
All Other	\$13,000	\$0
	\$13,000	\$0
GENERAL FUND TOTAL		
	\$13,000	\$0
FEDERAL EXPENDITURES FUND	2019-20	2020-21
All Other	\$13,000	\$0
	\$13,000	\$0
FEDERAL EXPENDITURES FUND TOTAL		
	\$13,000	\$0

See title page for effective date.

CHAPTER 112

H.P. 1446 - L.D. 2036

Resolve, To Establish the Blue Ribbon Commission To Continue Studying and Recommend Funding Solutions for the State's Transportation Systems

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

Whereas, Resolve 2019, chapter 97 established the Blue Ribbon Commission To Study and Recommend Funding Solutions for the State's Transportation Systems, which found that due to the complexity and importance of the subject matter it needed more time

to adequately consider the issues before providing a recommendation to the Joint Standing Committee on Transportation; and

Whereas, this legislation establishes the Blue Ribbon Commission To Continue Studying and Recommend Funding Solutions for the State's Transportation Systems; and

Whereas, it is necessary to immediately continue the work started by the previous commission in order that a recommendation may be submitted to the Joint Standing Committee on Transportation and be acted upon before the end of the Second Regular Session of the 129th Legislature; 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. Commission established. Resolved: That the Blue Ribbon Commission To Continue Studying and Recommend Funding Solutions for the State's Transportation Systems, referred to in this resolve as "the commission," is established.

Sec. 2. Commission membership. Resolved: That, notwithstanding Joint Rule 353, the 15 members and chairs appointed to the Blue Ribbon Commission To Study and Recommend Funding Solutions for the State's Transportation Systems, established pursuant to Resolve 2019, chapter 97 and referred to in this resolve as "the previous commission," serve as the members and chairs of the commission.

Sec. 3. Duties. Resolved: That the commission shall continue the work of the previous commission to study how to reform and adequately supplement funding for the State's transportation infrastructure to promote equity, sustainability and predictability so that the State can responsibly provide safe and reliable state transportation systems. The commission shall continue to focus on funding the state highway and bridge system and shall also develop findings or recommendations on the need and potential funding solutions for multimodal transportation infrastructure. Specific study topics may include, but are not limited to, those listed in Resolve 2019, chapter 97, section 5.

The commission shall meet up to 4 times over the course of the Second Regular Session of the 129th Legislature and may hold public hearings and review recommendations from the people of the State and qualified experts when appropriate. The chairs may also provide the opportunity for knowledgeable stakeholders to submit written comments throughout the study process and to provide oral testimony on the commission's draft recommendations.

Sec. 4. Staff assistance. Resolved: That the Department of Transportation shall provide necessary staffing services to the commission, and the Office of Policy and Legal Analysis shall provide drafting assistance for any legislation proposed by the commission.

Sec. 5. Report. Resolved: That, no later than March 5, 2020, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Joint Standing Committee on Transportation. The Joint Standing Committee on Transportation may submit legislation for presentation to the Second Regular Session of the 129th Legislature.

Sec. 6. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

LEGISLATURE

Study Commissions - Funding 0444

Initiative: Allocates funds on a one-time basis for the costs to the Legislature of Legislators participating in the work of the Blue Ribbon Commission To Continue Studying and Recommend Funding Solutions for the State's Transportation Systems.

HIGHWAY FUND	2019-20	2020-21
All Other	\$1,960	\$0
HIGHWAY FUND TOTAL	\$1,960	\$0

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

Effective January 21, 2020.

CHAPTER 113

H.P. 937 - L.D. 1294

Resolve, Directing the Maine Human Rights Commission To Implement a Pilot Program To Investigate and Report on Incidents of Harassment Due to Housing Status, Lack of Employment and Other Issues

Sec. 1. Maine Human Rights Commission pilot program to investigate and report on incidents and complaints of harassment due to housing status, lack of employment and other issues. Resolved: That the Maine Human Rights Commission shall, within budgeted resources, implement a 2-year pilot program to receive, review and investigate incidents and complaints of harassment due to a person's lack of employment or housing status and other reports of interference with a person's access to public accommodations.