

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND THIRTIETH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 2, 2020 to March 30, 2021**

**FIRST SPECIAL SESSION**  
**April 28, 2021 to July 19, 2021**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 29, 2021**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**OCTOBER 18, 2021**

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

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**Augusta, Maine**  
**2021**

these services as long as the rate is no lower than the rate reimbursed as of January 1, 2021. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

**Sec. 4. Appropriations and allocations.** The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES,  
DEPARTMENT OF**

**Medical Care - Payments to Providers 0147**

Initiative: Provides funding for the Department of Health and Human Services to amend the rules under Chapter 101: MaineCare Benefits Manual, Chapter III, Section 5, Ambulance Services, to provide additional add-on supplements that are equivalent to payments required under Medicare ambulance services under 42 United States Code, Section 1395m(l).

<b>GENERAL FUND</b>	<b>2021-22</b>	<b>2022-23</b>
All Other	\$243,828	\$327,814
<b>GENERAL FUND TOTAL</b>	<b>\$243,828</b>	<b>\$327,814</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2021-22</b>	<b>2022-23</b>
All Other	\$477,856	\$634,432
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$477,856</b>	<b>\$634,432</b>

**Medical Care - Payments to Providers 0147**

Initiative: Provides funding to set the reimbursement rates for physical therapy services under the Department of Health and Human Services rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 85 at 57% of the federal Medicare reimbursement rate as long as the rate is no lower than the rate in effect on January 1, 2021.

<b>GENERAL FUND</b>	<b>2021-22</b>	<b>2022-23</b>
All Other	\$400,951	\$539,056
<b>GENERAL FUND TOTAL</b>	<b>\$400,951</b>	<b>\$539,056</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2021-22</b>	<b>2022-23</b>
All Other	\$712,802	\$945,948
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$712,802</b>	<b>\$945,948</b>

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF  
DEPARTMENT TOTALS**

	<b>2021-22</b>	<b>2022-23</b>
<b>GENERAL FUND</b>	<b>\$644,779</b>	<b>\$866,870</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>\$1,190,658</b>	<b>\$1,580,380</b>

<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$1,835,437</b>	<b>\$2,447,250</b>
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See title page for effective date.

**CHAPTER 119  
H.P. 1086 - L.D. 1470**

**Resolve, Regarding  
Reimbursement for Providing  
Inpatient Care to Individuals  
with Acute Mental Health Care  
Needs**

**Sec. 1. Department of Health and Human Services to increase MaineCare rates. Resolved:** That the Department of Health and Human Services shall amend its rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 45.03 to provide reimbursement for patients discharged from Southern Maine Health Care's psychiatric inpatient unit in the amount of \$10,166 per distinct discharge. The department shall amend its rule pursuant to this section in time to be submitted to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services with an effective date of the reimbursement required by this section of October 1, 2021. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

**Sec. 2. Department of Health and Human Services to seek available funds for uninsured patients. Resolved:** That the Department of Health and Human Services shall seek and apply for available federal funds or funds from any other sources to pay the costs of providing inpatient psychiatric care to uninsured patients who are discharged from acute care hospitals.

**Sec. 3. Report. Resolved:** That, no later than December 1, 2021, the Department of Health and Human Services shall submit a report to the Joint Standing Committee on Health and Human Services regarding the progress the department has made in developing a reimbursement rate to provide inpatient psychiatric care under its rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 45.03. The joint standing committee is authorized to report out legislation related to the report to the Second Regular Session of the 130th Legislature.

**Sec. 4. Appropriations and allocations. Resolved:** That the following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES,  
DEPARTMENT OF**

**Medical Care - Payments to Providers 0147**

Initiative: Provides appropriation and allocation to the Department of Health and Human Services to amend its rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 45.03 to provide reimbursement for patients discharged from Southern Maine Health Care's psychiatric inpatient unit in the amount of \$10,166 per distinct discharge.

<b>GENERAL FUND</b>	<b>2021-22</b>	<b>2022-23</b>
All Other	\$96,177	\$136,805
<b>GENERAL FUND TOTAL</b>	<b>\$96,177</b>	<b>\$136,805</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>2021-22</b>	<b>2022-23</b>
All Other	\$409,802	\$537,833
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$409,802</b>	<b>\$537,833</b>

See title page for effective date.

**CHAPTER 120**  
**H.P. 1177 - L.D. 1588**

**Resolve, To Replace Certain Stigmatizing Language in the Maine Revised Statutes with Respectful Language**

**Sec. 1. Identification of stigmatizing language; substitution of respectful language. Resolved:** That the Revisor of Statutes shall review the Maine Revised Statutes, Titles 22, 22-A, 25 and 34-A for stigmatizing language in the laws governing the Department of Health and Human Services, the Department of Public Safety and the Department of Corrections. The Revisor of Statutes shall report to the Joint Standing Committee on Criminal Justice and Public Safety by January 15, 2022 and shall provide draft legislation to amend the laws of the 3 departments in the Titles identified to change stigmatizing language as described in this section to respectful language. The Revisor of Statutes shall recommend editing the laws as necessary to accommodate singular and plural forms, masculine and feminine forms and adult and minor forms and, when possible, shall use so-called person-first language. The stigmatizing language to be changed includes "prisoner," "inmate" and "convict," which must be changed to "resident of a correctional facility" or "resident of a jail"; "drug user," which must be changed to "person who uses drugs"; "probationer," which must be changed to "client of the Department of Corrections"; and "mentally ill person," which must be changed to "person with a mental illness."

**Sec. 2. Legislation. Resolved:** That based on the report from the Revisor of Statutes pursuant to section 1, the Joint Standing Committee on Criminal Justice and Public Safety may report out legislation to change stigmatizing language in the Maine Revised

Statutes, Titles 22, 22-A, 25 and 34-A to respectful language and direct the Department of Health and Human Services, Department of Public Safety and Department of Corrections to amend their rules, policies, procedures, forms and publications to conform to the respectful language that is adopted by the Legislature.

**Sec. 3. Appropriations and allocations. Resolved:** That the following appropriations and allocations are made.

**LEGISLATURE**  
**Legislature 0081**

Initiative: Provides one-time funding to the Office of the Revisor of Statutes to contract with an outside entity to review Titles 22, 22-A, 25 and 34-A of the Maine Revised Statutes for stigmatizing language and to prepare a report to the Joint Standing Committee on Criminal Justice and Public Safety by January 15, 2022, with draft legislation to amend the laws to change the stigmatizing language to respectful language.

<b>GENERAL FUND</b>	<b>2021-22</b>	<b>2022-23</b>
All Other	\$11,400	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$11,400</b>	<b>\$0</b>

See title page for effective date.

**CHAPTER 121**  
**H.P. 408 - L.D. 563**

**Resolve, To Create the Criminal Records Review Committee**

**Sec. 1. Review committee established. Resolved:** That the Criminal Records Review Committee, referred to in this resolve as "the review committee," is established.

**Sec. 2. Review committee membership. Resolved:** That, notwithstanding Joint Rule 353, the review committee consists of the members appointed as follows:

1. Two members of the Senate appointed by the President of the Senate, including one member from each of the 2 parties holding the largest number of seats in the Legislature;
2. Two members of the House of Representatives appointed by the Speaker of the House of Representatives, including one member from each of the 2 parties holding the largest number of seats in the Legislature;
3. The Attorney General or the Attorney General's designee;
4. The Commissioner of Health and Human Services or the commissioner's designee;