

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-FIRST LEGISLATURE

SECOND REGULAR SESSION
January 3, 2024 to May 10, 2024

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 9, 2024

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

Augusta, Maine
2024

**CHAPTER 545
H.P. 1374 - L.D. 2150**

**An Act to Require
Constitutional Officers to
Complete Harassment
Training**

**Be it enacted by the People of the State of Maine
as follows:**

Sec. 1. 5 MRSA §90-H is enacted to read:

§90-H. Required training regarding harassment

The Secretary of State shall attend and complete annually a course of in-person education and training regarding harassment, including, but not limited to, sexual harassment and racial harassment.

Sec. 2. 5 MRSA §158 is enacted to read:

§158. Required training regarding harassment

The Treasurer of State shall attend and complete annually a course of in-person education and training regarding harassment, including, but not limited to, sexual harassment and racial harassment.

Sec. 3. 5 MRSA §191, sub-§5 is enacted to read:

5. Required training regarding harassment.

The Attorney General shall attend and complete annually a course of in-person education and training regarding harassment, including, but not limited to, sexual harassment and racial harassment.

See title page for effective date.

**CHAPTER 546
H.P. 1377 - L.D. 2153**

**An Act to Clarify MaineCare
Copayments**

**Be it enacted by the People of the State of Maine
as follows:**

Sec. 1. 22 MRSA §3173-C, sub-§2, as amended by PL 2011, c. 458, §1 and affected by §4, is further amended to read:

2. Prescription drug services. ~~Except as provided in this subsection and subsections 3 and 4, a pharmacy shall charge a MaineCare member \$3.00 for each drug prescription that is an approved MaineCare service. The department shall adopt and follow procedures to ensure compliance with the requirements of 42 United States Code, Section 1396o-1. A pharmacy that has followed the procedures adopted by the department to ensure compliance with the requirements of 42 United States Code, Section 1396o-1 may refuse to dis-~~

~~pense the drug if the copayment is not paid. Copayments must be capped at \$30 per month per member. Total copayments must be capped per member per month at no more than the dollar amount equivalent to 10 times the copayment amount. If a member is prescribed a drug in a quantity specifically intended by the provider or pharmacist, for the recipient's health and welfare, to last less than one month, only one payment for that drug for that month is may be required.~~

Sec. 2. 22 MRSA §3173-C, sub-§3, ¶F, as amended by PL 2023, c. 405, Pt. A, §61, is repealed.

Sec. 3. 22 MRSA §3173-C, sub-§3, ¶G, as enacted by PL 1983, c. 240, is amended to read:

G. Any other service or services required to be exempt under the provisions of the United States Social Security Act, Title XIX and successors to it;

Sec. 4. 22 MRSA §3173-C, sub-§3, ¶H is enacted to read:

H. Primary care services; and

Sec. 5. 22 MRSA §3173-C, sub-§3, ¶I is enacted to read:

I. Community-based behavioral health services.

Sec. 6. 22 MRSA §3173-C, sub-§7, as amended by PL 2017, c. 407, Pt. A, §76, is further amended to read:

7. Copayments. ~~Notwithstanding any other provision of law, the following copayments per service per day are imposed and reimbursements are reduced, or both, to the following levels: The department shall consider, in any reduction in reimbursement to providers or imposition of copayments, the need to maintain provider participation in the Medicaid program to the extent required by 42 United States Code, Section 1396a(a)(30)(A) or any successor provision of law.~~

The department shall maintain copayments on the following services that are nominal in amount and that may contain exclusions per service category:

- A. Outpatient hospital services, ~~\$3~~;
- B. Home health services, ~~\$3~~;
- C. Durable medical equipment services, ~~\$3~~;
- D. Private duty nursing and personal care services, ~~\$5 per month~~;
- E. Ambulance services, ~~\$3~~;
- F. Physical therapy services, ~~\$2~~;
- G. Occupational therapy services, ~~\$2~~;
- H. Speech therapy services, ~~\$2~~;
- I. Podiatry services, ~~\$2~~;
- J. Psychologist services, ~~\$2~~;
- K. Chiropractic services, ~~\$2~~;

- L. Laboratory and x-ray services, ~~\$1~~;
- M. Optical services, ~~\$2~~;
- N. Optometric services, ~~\$3~~;
- ~~O. Mental health clinic services, \$2;~~
- ~~P. Substance use disorder services, \$2;~~
- Q. Hospital inpatient services, ~~\$3 per patient day~~; and
- ~~R. Federally qualified health center services, \$3 per patient day, effective July 1, 2004; and~~
- S. Rural health center services, ~~\$3 per patient day~~.
- T. Prescription drug services.

~~The department may adopt rules to adjust the copayments set forth in this subsection. The rules may adjust amounts to ensure that copayments are deemed nominal in amount and may include monthly limits or exclusions per service category. The need to maintain provider participation in the Medicaid program to the extent required by 42 United States Code, Section 1396a(a)(30)(A) or any successor provision of law must be considered in any reduction in reimbursement to providers or imposition of copayments.~~

Sec. 7. 22 MRSA §3173-C, sub-§8, as enacted by PL 2011, c. 458, §2 and affected by §4, is amended to read:

8. Notification. The department shall notify each MaineCare member who is subject to the copayment requirement in subsection 2 of the copayment requirements, any exemptions and limitations prior to coding the member's information for required copayments and shall notify the member again during annual recertification of eligibility. The department shall publish a list of all copayments and amounts by service category on the department's publicly accessible website.

See title page for effective date.

CHAPTER 547

H.P. 859 - L.D. 1345

**An Act to Permit
Municipalities to Establish by
Ordinance a Program for
Partial Deferral of Property
Taxes for Seniors**

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 36 MRSA §6235 is enacted to read:

§6235. Municipal authority; partial deferral of property taxes for seniors

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Deferred property taxes" means the amount of property taxes assessed on an eligible homestead, the collection of which is deferred by the municipality under a program.

B. "Eligible homestead" means a homestead owned and occupied by an eligible individual who is eligible for a homestead exemption under chapter 105, subchapter 4-B for the property tax year during which an application for stabilization is made.

C. "Federal poverty level" means the nonfarm income official poverty line for a family of the size involved, as defined by the federal Office of Management and Budget and revised annually in accordance with the United States Omnibus Budget Reconciliation Act of 1981.

D. "Homestead" has the same meaning as under section 681, subsection 2 and may include mobile homes if expressly included in a municipal ordinance adopted under this section.

E. "Household income" has the meaning set out in section 6201, subsection 7.

F. "Partial property tax deferral" means the deferral of the payment of property taxes assessed on an eligible homestead in excess of the stabilized taxes assessed on that eligible homestead.

G. "Program" means a stabilization and tax deferral program adopted by a municipality pursuant to subsection 2.

H. "Stabilize" means to set the amount of property tax required to be paid by a taxpayer on an eligible homestead in the property tax year during which the taxpayer first qualifies for the program and to maintain that amount each year thereafter.

I. "Stabilized taxes" means the amount of property tax to be billed to and due from the taxpayer on the taxpayer's eligible homestead in each year of the program.

J. "Tax-deferred property" means the property upon which taxes are partially deferred under a program.

K. "Taxes" or "property taxes" means ad valorem taxes, assessments, fees and charges entered on the assessment and tax roll.

L. "Taxpayer" means an individual who is responsible for payment of property taxes and has applied to participate or is currently participating in a program.

2. Authority. The legislative body of a municipality may by ordinance adopt a stabilization and partial