

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-FIRST LEGISLATURE

FIRST REGULAR SESSION
December 7, 2022 to March 30, 2023

FIRST SPECIAL SESSION
April 5, 2023 to July 26, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NONEMERGENCY LAWS IS
JUNE 29, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NONEMERGENCY LAWS IS
OCTOBER 25, 2023

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

Augusta, Maine
2023

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, a major substantive rule has been submitted to the Legislature outside the legislative rule acceptance period; 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 Chapter 301: Fee Schedule and Administrative Procedures for Payment of Court or Commission Assigned Counsel, a provisionally adopted major substantive rule of the Maine Commission on Indigent Legal Services that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A outside the legislative rule acceptance period, is authorized.

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

Effective July 10, 2023.

CHAPTER 97

H.P. 623 - L.D. 976

Resolve, to Establish the Task Force on Accessibility to Appropriate Communication Methods for Deaf and Hard-of-hearing Patients

Sec. 1. Task force established. Resolved: That the Task Force on Accessibility to Appropriate Communication Methods for Deaf and Hard-of-hearing Patients, referred to in this resolve as "the task force," is established.

Sec. 2. Task force membership. Resolved: That, notwithstanding Joint Rule 353, the task force consists of 7 members appointed as follows:

1. One member of the Senate who serves on the Joint Standing Committee on Health and Human Services, appointed by the President of the Senate;

2. One member of the House of Representatives who serves on the Joint Standing Committee on Health and Human Services, appointed by the Speaker of the House;

3. One member representing the Department of Health and Human Services, Office of Aging and Disability Services, appointed by the Commissioner of Health and Human Services;

4. One member representing Disability Rights Maine, appointed by the Commissioner of Health and Human Services;

5. One member representing the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf, appointed by the Commissioner of Health and Human Services;

6. One member representing the Department of Labor who works with compliance issues regarding deaf and hard-of-hearing persons, appointed by the Commissioner of Labor; and

7. One member of the public who is a person who is deaf or hard of hearing, appointed by the Speaker of the House.

Sec. 3. Chairs. Resolved: That the Senate member is the Senate chair and the House of Representatives member is the House chair of the task force.

Sec. 4. Appointments; convening of task force. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the task force. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the task force to meet and conduct its business.

Sec. 5. Duties. Resolved: That the task force shall study accessibility to appropriate communication methods for deaf and hard-of-hearing patients in health care settings and how that accessibility may be improved. The task force shall consider, but is not limited to, the following:

1. The availability of American Sign Language interpreters in health care settings;

2. The availability of other communication technologies in health care settings, such as video interpreters, automatically generated voice transcriptions and automatically generated captions;

3. Staff education and training programs on overcoming barriers to health care experienced by deaf and hard-of-hearing patients; and

4. Successful models for overcoming barriers to health care experienced by deaf and hard-of-hearing patients.

Sec. 6. Staff assistance. Resolved: That the Legislative Council shall provide necessary staffing services to the task force, except that Legislative Council staff support is not authorized when the Legislature is in regular or special session.

Sec. 7. Report. Resolved: That, no later than December 6, 2023, the task force shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Joint Standing Committee on Health and Human Services. The Joint Standing Committee on Health and Human Services is authorized to report out legislation related to the report to the Second Regular Session of the 131st Legislature.

See title page for effective date.

CHAPTER 98

H.P. 571 - L.D. 915

Resolve, to Establish the Blue Ribbon Commission to Study the Organization of and Service Delivery by 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, this legislation establishes the Blue Ribbon Commission to Study the Organization of and Service Delivery by the Department of Health and Human Services; and

Whereas, this legislation must take effect before the expiration of the 90-day period so that the commission may timely meet and make its report to the 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 Study the Organization of and Service Delivery by the Department of Health and Human Services, referred to in this resolve as "the commission," is established.

Sec. 2. Commission membership. Resolved: That, notwithstanding Joint Rule 353, the commission consists of 13 members as follows:

1. Three members of the Senate appointed by the President of the Senate, including one member of the

party holding the largest number of seats in the Legislature and one member of the party holding the 2nd largest number of seats in the Legislature;

2. Three members of the House of Representatives appointed by the Speaker of the House of Representatives, including one member of the party holding the largest number of seats in the Legislature and one member of the party holding the 2nd largest number of seats in the Legislature;

3. Two members appointed by the President of the Senate, one of whom must have lived experience in caring for one of the following types of individuals and one who represents the interests of at least 2 of the following types of individuals or providers of care to at least 2 of the following types of individuals:

- A. Individuals with intellectual disabilities or autism;
- B. Individuals with mental health disorders or substance use disorder;
- C. Individuals experiencing poverty;
- D. Elderly individuals;
- E. Children receiving child welfare services; or
- F. Children receiving early childhood services;

4. Two members appointed by the Speaker of the House of Representatives, one of whom must have lived experience in caring for one of the following types of individuals and one who represents the interests of at least 2 of the following types of individuals or providers of care to at least 2 of the following types of individuals:

- A. Individuals with intellectual disabilities or autism;
- B. Individuals with mental health disorders or substance use disorder;
- C. Individuals experiencing poverty;
- D. Elderly individuals;
- E. Children receiving child welfare services; or
- F. Children receiving early childhood services;

5. The Commissioner of Health and Human Services or the commissioner's designee; and

6. Two directors of offices within the Department of Health and Human Services chosen by the commissioner.

Sec. 3. Chairs. Resolved: That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission.

Sec. 4. Appointments; convening of commission. Resolved: That, notwithstanding Joint Rule 353, all appointments must be made no later than 30 days following the effective date of this resolve. The