

MAINE STATE LEGISLATURE

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STATE OF MAINE
125TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON HEALTH AND HUMAN
SERVICES**

July 2011

STAFF:

JANE ORBETON, SENIOR ANALYST
ANNA BROOME, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
&
CHRIS NOLAN
OFFICE OF FISCAL AND PROGRAM REVIEW
5 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1635

MEMBERS:

SEN. EARLE L. MCCORMICK, CHAIR
SEN. NICHI S. FARNHAM
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LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 125th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

CARRIED OVER carried over to a subsequent session of the Legislature
CON RES XXX..... chapter # of constitutional resolution passed by both houses
CONF CMTE UNABLE TO AGREE..... Committee of Conference unable to agree; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY..... ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public Law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 125th Legislature is September 28, 2011. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Health and Human Services

Committee Amendment "A" (H-520)

This amendment replaces the bill, which was a concept draft, with a resolve. The amendment requires the Department of Health and Human Services to convene a stakeholder group to review oversight and advisory functions, laws and funding regarding services for adults with intellectual disabilities or autism spectrum disorders and to report to the Joint Standing Committee on Health and Human Services by December 7, 2011.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

LD 1116 An Act To Restore Market-based Competition for Pharmacy Benefits Management Services

PUBLIC 443

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STRANG BURGESS SULLIVAN	OTP-AM MAJ OTP-AM MIN	H-608

The bill repeals the Maine Revised Statutes, Title 22, chapter 603, subchapter 4, which concerns prescription drug practices, and continues the registration of pharmacy benefits managers under Title 24-A with the Bureau of Insurance.

Committee Amendment "A" (H-608)

This amendment is the majority report of the committee. This amendment adds to the bill provisions that relate to the business relationship between a pharmacy and a pharmacy benefits manager. The provisions address the contract between the 2 entities, pharmacy benefits manager duties, complaints, grievances and appeals, denial or limitation of benefits, written notice and audits of the records of the pharmacy.

Enacted Law Summary

Public Law 2011, chapter 443 repeals the Maine Revised Statutes, Title 22, chapter 603, subchapter 4, which concerns prescription drug practices and continues the registration of pharmacy benefits managers under Title 24-A with the Bureau of Insurance. The law addresses the business relationship between a pharmacy and a pharmacy benefits manager, the duties of the pharmacy benefits manager, complaints, grievances and appeals, denial or limitation of benefits, written notice and audits of the records of the pharmacy.

LD 1119 An Act To Amend the Laws Governing the Sale of Certain Tobacco Products

**MAJORITY
(ONTP) REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STRANG BURGESS SAVIELLO	ONTP MAJ OTP-AM MIN	

This bill prohibits the sale of flavored tobacco wrappers, including blunt wraps.

Committee Amendment "A" (H-310)

This amendment is the minority report of the committee. The amendment clarifies that "characterizing flavor" applies to flavors of cigars, tobacco wrappers and component parts. It removes from the definition of "flavored tobacco wrapper" in the bill reference to cigarette rolling papers and cigarette tubes and adds cones, rolling papers,

Joint Standing Committee on Health and Human Services

cigar papers and cigar wraps.

LD 1122 An Act To Increase Dental Benefits and Oral Health Care ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HINCK CRAVEN	ONTP	

This bill provides expanded dental benefits for adults in the MaineCare program and also directs the Department of Health and Human Services, Maine Center for Disease Control and Prevention to convene a broadly representative working group to review the feasibility of implementing certain provisions of the Governor's Task Force on Expanding Access to Oral Health Care for Maine People and to report with suggested legislation to the Joint Standing Committee on Health and Human Services by November 1, 2011.

LD 1131 An Act To Require Public Disclosure of Health Care Prices ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOODBURY	ONTP	

This bill requires a health care practitioner to maintain a price list of the health care practitioner's most common services and procedures and to provide the list to a consumer upon request effective January 1, 2012.

LD 1159 An Act To Amend the Identification Requirements under the Maine Medical Use of Marijuana Act PUBLIC 383

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HASKELL GERZOFISKY	OTP-AM	H-541

This bill clarifies that an individual must possess both a valid registry identification card and a valid Maine-issued driver's license or other Maine-issued photo identification as proof of valid participation in the medical use of marijuana.

This bill specifies that a primary caregiver's registry identification card expires on the same date that the patient's card expires.

This bill removes the requirement that registry identification cards contain information distinguishing the cardholder as a patient or primary caregiver and a photo.

Committee Amendment "A" (H-541)

This amendment adds to the bill provisions on forfeiture for excess marijuana, allowing the use in court of certified copies of marijuana registry records and rulemaking on fees paid by primary caregivers.