

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
FIRST REGULAR SESSION



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

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

July 2013

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LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 126th 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 126th Legislature is October 9, 2013. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

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or Autistic Disorder. It also provides corresponding Federal Expenditures Fund allocations.

See also Public Law 2013, chapter 368, the biennial budget, page 357.

LD 62 Resolve, Directing the Department of Health and Human Services To CARRIED OVER
Increase Reimbursement Rates for Adult Day Services

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MALABY MILLETT	OTP-AM	

This bill provides additional General Fund appropriations of \$130,000 in fiscal year 2013-14 and \$330,000 in fiscal year 2014-15 for the Department of Health and Human Services to fund respite services in the adult day services program. This appropriation is intended to increase funding for this program to \$450,000 in fiscal year 2013-14 and to \$650,000 in fiscal year 2014-15.

Committee Amendment "A" (H-372)

This amendment replaces the bill with a resolve. It requires the Department of Health and Human Services to increase reimbursement rates for adult day services programs within Chapter 101: MaineCare Benefits Manual, Chapter II, Sections 19 and 26 and Chapter 5: Office of Elder Services Policy Manual, Sections 61 and 63 to \$12 an hour beginning October 1, 2013. It also adds an appropriations and allocations section.

This bill was committed to the Joint Standing Committee on Appropriations and Financial Affairs and carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 77 An Act To Require Health Care Practitioners To Distribute Free ONTP
Samples of Medication in Certain Circumstances

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

This bill requires health care practitioners to distribute free samples of medication to a patient in order to test the reaction of the patient and the effectiveness in treatment of the patient's disease or condition. The requirement to distribute free samples depends on availability, appropriateness and timeliness.

LD 78 An Act To Expand Transitional Assistance for Families PUBLIC 97

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAUDOIN	OTP-AM	H-69

This bill expands transitional benefits for families that lose eligibility for assistance under the Temporary Assistance for Needy Families program and the MaineCare program because of increased income and for certain working families that receive supplemental nutrition assistance as follows.

1. For families that were eligible for MaineCare because their income was below 150% of the federal poverty level, it expands the upper limit of financial eligibility for transitional Medicaid from 185% to 200% of the federal poverty guidelines, extends the time period during which payment of premiums for transitional Medicaid is not

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required from six to nine months and, for families whose ineligibility is due to increased child support, extends the period of eligibility for transitional Medicaid from four to six months.

2. For families that lose eligibility for Temporary Assistance for Needy Families due to employment, it expands transitional transportation benefits from 12 to 18 months.

3. For families that lose eligibility for Temporary Assistance for Needy Families due to increased earnings or increased hours of work, it expands financial eligibility for transitional child care services from 250% to 300% of the federal poverty guidelines.

4. For certain working families that receive supplemental nutrition assistance, it expands transitional food assistance from \$50 per month to \$75 per month.

Committee Amendment "A" (H-69)

This amendment replaces the bill. The amendment allows the Department of Health and Human Services to make transitional transportation benefits available to families in which one or both adults are working and who, although they remain financially eligible for Temporary Assistance for Needy Families benefits, request that their benefits be terminated. The amendment directs the department to adopt rules on transitional transportation assistance for families who lose eligibility for benefits under the TANF program due to increased employment income. The amended rules must allow those families up to one year after termination from TANF assistance to apply for transitional transportation assistance. The rules are designated as routine technical rules.

Enacted Law Summary

Public Law 2013, chapter 97 allows the Department of Health and Human Services to make transitional transportation benefits available to families in which one or both adults are working and who, although they remain financially eligible for Temporary Assistance for Needy Families benefits, request that their benefits be terminated. The law directs the department to adopt rules on transitional transportation assistance for families who lose eligibility for benefits under the TANF program due to increased employment income. The amended rules must allow those families up to one year after termination from TANF assistance to apply for transitional transportation assistance. The rules are designated as routine technical rules.

LD 87 An Act To Improve Community Mental Health Treatment

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRAVEN FARNSWORTH	OTP-AM ONTP	

This bill requires the Department of Health and Human Services to develop programs to provide services and housing to persons with chronic mental illness. The programs must be designed to ensure psychiatric rehabilitation and to improve the rehabilitation and recovery of persons with chronic mental illness. The programs must provide medically necessary health and mental health services to persons with chronic mental illness in the least restrictive setting that is consistent with the person's choice and individual treatment plan and within the person's chosen community and provide housing options to persons with chronic mental illness including a person's home or group residential setting or another configuration according to the person's choice.

Committee Amendment "A" (S-33)

This amendment is the majority report of the committee. The amendment replaces the term "psychiatric rehabilitation" with "rehabilitation and recovery." The amendment adds to the law amended in the bill, which is a general policy statement, language regarding the Department of Health and Human Services providing services that are appropriate to a person's needs, consistent with a person's choices and geographically accessible. The