

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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SEN. COLLEEN M. LACHOWICZ
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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
&
CHRISTOPHER NOLAN
OFFICE OF FISCAL AND PROGRAM REVIEW
5 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1635

REP. RICHARD R. FARNSWORTH, CHAIR
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*Rep. Jane P. Pringle temporarily appointed for the duration of the absence of Rep. Matthew Peterson on the Health and Human Services Committee

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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.

Joint Standing Committee on Health and Human Services

**LD 598 Resolve, Directing All Relevant Agencies of State Government To Work
in Concert with a Plan To End and Prevent Homelessness To Ensure
That Resources Are Available To End Homelessness in the State** **VETO
SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRIGGS CRAVEN	OTP-AM ONTP	H-342

This resolve requires all relevant state agencies, including the Department of Health and Human Services, the Department of Labor, the Department of Corrections, the Department of Education and the Maine State Housing Authority, to work with advocates and organizations serving the homeless population in the State to direct resources to eradicate homelessness in the State within four years.

Committee Amendment "A" (H-342)

This amendment, which is the majority report of the committee, removes the requirement for state agencies to align their budgets in concert with "Maine's Plan to End & Prevent Homelessness" but retains the requirement for state agencies to work to align their resources and efforts in concert with the plan. The amendment also clarifies that state agencies are to focus their resources with the immediate goal of reducing the rate of homelessness.

**LD 610 Resolve, To Review and Amend the Rules Regarding Hospital Charity
Care Guidelines** **VETO
SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANDERSON CUSHING	OTP-AM	H-236

This resolve requires the Department of Health and Human Services to amend Chapter 150 of its rules pertaining to mandatory charity care policies to permit hospitals to impose the asset test for MaineCare in effect as of January 1, 2013 and to establish the federal poverty limit eligibility threshold at 133% for individuals eligible for federal premium tax credits to purchase insurance through exchanges.

Committee Amendment "A" (H-236)

This amendment replaces the resolve. The amendment requires the Department of Health and Human Services to convene a working group and provisionally adopt rules to amend the hospital charity care guidelines by February 1, 2015. The amendment directs the working group to examine the use of an asset test. The amendment requires reports to the joint standing committee of the Legislature having jurisdiction over health and human services matters by April 1, 2014 and February 1, 2015. The amendment states the intention of the Legislature that the charity care rules in effect on January 1, 2013 remain in effect until any proposed major substantive rules come into effect.

LD 625 Resolve, Regarding Temporary Campgrounds **RESOLVE 55**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASON G TIMBERLAKE	OTP-AM	S-134

This bill exempts from licensing as a campground a commercial lot permitted by the municipality as a racetrack or for another mass public gathering purpose and any camping is incidental to the purpose and the owner or renter of

Joint Standing Committee on Health and Human Services

the lot does not charge a fee beyond the attendance fee for a person to camp overnight on the lot.

Committee Amendment "A" (S-134)

This amendment replaces the bill with a resolve directing the Department of Health and Human Services, Maine Center for Disease Control and Prevention's division of environmental health to review the regulation of camping on premises on which the owner is hosting an event when that camping is temporary in nature and open only to participants and spectators of the event. The amendment directs the department to report the results of its review and any recommended legislation or rulemaking to the Joint Standing Committee on Health and Human Services by January 1, 2014. The amendment removes the emergency preamble and emergency clause.

Enacted Law Summary

Resolve 2013, chapter 55 directs the Department of Health and Human Services, Maine Center for Disease Control and Prevention's division of environmental health to review the regulation of camping on premises on which the owner is hosting an event when that camping is temporary in nature and open only to participants and spectators of the event. The resolve directs the department to report the results of its review and any recommended legislation or rulemaking to the Joint Standing Committee on Health and Human Services by January 1, 2014.

LD 629 An Act To Restore Eligibility and Funding for Drug Programs for the Elderly and Disabled

**DIED ON
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE FARNSWORTH	OTP-AM ONTP	S-25

In Public Law 2011, chapter 657, Part HH, the Commissioner of Health and Human Services was directed to seek a waiver to reduce income eligibility levels for the Medicare savings program by 10%. The reduction of income eligibility levels was contingent on the grant of the waiver by the federal Centers for Medicare and Medicaid Services; the waiver was granted. This bill instructs the Commissioner of Health and Human Services to submit an application to restore income eligibility levels for the Medicare savings program to the levels they were before the waiver was granted and makes the increase contingent upon the approval of the federal Centers for Medicare and Medicaid Services. This bill also makes adjustments to appropriations and allocations to reflect the increase in the eligibility levels.

Committee Amendment "A" (S-25)

This amendment is the majority report of the committee. The amendment incorporates a fiscal note.

LD 633 An Act To Grant the Commissioner of Health and Human Services and the Commissioner's Designees the Independent Authority To Issue Adjudicatory Subpoenas

PUBLIC 202

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HAMPER SANDERSON	OTP	

This bill grants to the Commissioner of Health and Human Services and the commissioner's designees the independent authority to issue administrative subpoenas for adjudicatory proceedings, consistent with statutory authority given to other agencies.

Enacted Law Summary