

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
126<sup>TH</sup> 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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# STATE OF MAINE

126<sup>TH</sup> LEGISLATURE  
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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 126<sup>th</sup> 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 126<sup>th</sup> 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*

benefits may be avoided if the person enrolls in a substance abuse treatment program.

This bill repeals that law and instead allows the random drug testing of a person receiving MaineCare benefits, TANF program benefits or general assistance and requires the suspension of those benefits if the person tests positive for use of an illegal drug. The benefits may resume once the person does not test positive for use of an illegal drug.

**LD 710      *Resolve, Requiring the Department of Health and Human Services To Adopt an Alternative MaineCare Nonemergency Transportation System to the Current Risk-based Prepaid Ambulatory Health Plan*      ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| COLLINS<br>CHASE  | ONTP                    |                           |

This resolve requires the Department of Health and Human Services to adopt an alternative MaineCare nonemergency transportation system to the current risk-based prepaid ambulatory health plan. The department shall examine the transportation models presented by the federal Department of Health and Human Services, Centers for Medicare and Medicaid Services and adopt one of the models that is not a risk-based prepaid ambulatory health plan. The current contracts issued under the risk-based system remain in place, but at the end of the contract period new requests for proposals must comply with the newly adopted system.

**LD 711      *An Act To Facilitate Patient Education*      PUBLIC 336**

| <u>Sponsor(s)</u>    | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| LACHOWICZ<br>GATTINE | OTP-AM                  | S-200                     |

This bill exempts a registered nurse educator who provides post prescription training to a patient or caregiver in a patient's place of residence from the laws governing the licensure of home health care providers.

**Committee Amendment "A" (S-200)**

This amendment replaces the bill. The amendment repeals an outdated provision of law, enacts a definition of "registered nurse educator" and excludes registered nurse educators from the provisions of the Maine Revised Statutes, Title 22, chapter 419, which concerns home health services and the licensure of home health care providers.

**Enacted Law Summary**

Public Law 2013, chapter 336 repeals an outdated provision of law, enacts a definition of "registered nurse educator" and excludes registered nurse educators from the provisions of the Maine Revised Statutes, Title 22, chapter 419, which concerns home health services and the licensure of home health care providers.