

# 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***

**LD 804      An Act To Improve Preventive Dental Health Care and Reduce Costs in the MaineCare Program      CARRIED OVER**

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

This bill adds one annual preventive oral health visit to the MaineCare-covered oral health services for adults 21 years of age and older.

**Committee Amendment "A" (H-517)**

This amendment, which is the majority report of the Joint Standing Committee on Health and Human Services, adds an appropriations and allocations section to the bill.

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-B (H-580) and H-C (H-582).

**LD 828      An Act To Improve the Administration of the Child Care Subsidy Program and To Prevent Erroneous Termination of Child Care Services      VETO SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GATTINE	OTP-AM OTP-AM	H-272

This bill amends the program that provides child care services to persons who meet certain income eligibility requirements to require the Department of Health and Human Services to:

1. Allow an applicant who is unable to comply a reasonable extension of time to meet the requirements or a modification of the application of eligibility rules; and
2. Prior to reducing or terminating the child care services provided to a person, provide the person an opportunity for a hearing and final agency determination, except when the reduction or termination is due to a loss of program funding.

**Committee Amendment "A" (H-272)**

This amendment, which is the majority report of the committee, replaces the bill. The bill requires the Department of Health and Human Services to provide a reasonable extension of time or modification of the application of the rules governing eligibility for the program that provides child care services to certain persons who meet income eligibility requirements but are unable to comply with the time requirements. The amendment retains the provisions of the bill that afford a person a reasonable opportunity for a fair hearing and final agency determination of child care program eligibility. The amendment requires the Department of Health and Human Services to amend its rules to make these changes in rules instead of statute. The amended rule may also provide changes to the language in letters of notification to parents.

**Committee Amendment "B" (H-273)**

This amendment, which is the minority report of the committee, replaces the bill. The bill requires the Department of Health and Human Services to provide a reasonable extension of time or modification of the application of the rules for a program that provides child care services to certain persons who meet income eligibility requirements but are unable to comply with the time requirements. The amendment retains the provisions of the bill that afford a

**Joint Standing Committee on Health and Human Services**

person a reasonable opportunity for a fair hearing and final determination of child care program eligibility.

**LD 829      Resolve, To Continue the Redesign of Shared Living Services for Adults with Intellectual Disabilities or Autism      RESOLVE 57 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STUCKEY	OTP-AM	H-269

This resolve requires the Department of Health and Human Services to continue to work on the redesign of its shared living program and to complete the redesign by June 30, 2013.

**Committee Amendment "A" (H-269)**

This amendment requires the Department of Health and Human Services to continue to work on the redesign of its shared living program and removes from the bill the due date for completion. The amendment requires the department to submit a progress report to the Joint Standing Committee on Health and Human Services by January 15, 2014.

**Enacted Law Summary**

Resolve 2013, chapter 57 requires the Department of Health and Human Services to continue to work on the redesign of its shared living program and removes from the bill the due date for completion. The law requires the department to submit a progress report to the Joint Standing Committee on Health and Human Services by January 15, 2014.

Resolve 2013, chapter 57 was finally passed as an emergency measure effective June 19, 2013.

**LD 846      An Act To Improve and Modernize the Authority of Local Health Officers      ONTP**

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to:

1. Direct the Department of Health and Human Services, Maine Center for Disease Control and Prevention to update its manual for local health officers to reflect changes in the health inspection rules adopted by the center, provide annual training for local health officers and communicate regularly with local health officers;
2. Repeal the prohibition on local health officers' entering licensed establishments for purposes of inspection;
3. Simplify and modernize the training required for certain municipalities to select a local health officer; and
4. Repeal the requirement that a municipality appoint a local health officer.

**LD 847      Resolve, To Address Changes Needed for Providers of Private Nonmedical Institution Services      ONTP**

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