

# 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 969**

**Resolve, Directing the Department of Health and Human Services To Reduce and Limit the Adult Developmental Services Waiting Lists by Implementing a More Efficient, Responsive and Individualized Model of Service Delivery**

**DIED ON  
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STUCKEY CRAVEN	OTP-AM	H-431

This resolve requires the Department of Health and Human Services to request approval from the federal Centers for Medicare and Medicaid Services to amend the MaineCare waivers for Section 21, Home and Community Benefits for Members with Intellectual Disabilities or Autistic Disorder, and Section 29, Support Benefits for Adults with Intellectual Disabilities or Autistic Disorder, to permit the reimbursement for the use of appropriate electronic technology as a means of reducing the costs of supporting people currently being served. It also requires the department to apply to the Centers for Medicare and Medicaid Services to amend the Section 29 waiver to add as a covered service home support as an option under the current service cap. Home support is direct support provided to a member in the member's home by a direct support professional to improve and maintain the member's ability to live as independently as possible in the member's own home and primarily consists of personal assistance, such as preparing meals, cleaning and personal care. Upon the granting of the amended waivers, the department is required to undertake rulemaking to amend the Section 21 and 29 rules to reflect the changes in the waiver. Any savings from the use of electronic technology and the provision of home support services must be used to serve additional people on Sections 21 and 29 waiting lists.

The resolve also requires the Department of Health and Human Services to report to the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Appropriations and Financial Affairs on the status of the recommendations of the adult developmental services working group formed pursuant to Public Law 2011, chapter 477, Part W, section 1. The department is required to develop a plan to incorporate the recommendations of the working group, including specific steps and a timeline with a goal that current and future waiting lists do not exceed 6 months.

**Committee Amendment "A" (H-431)**

This amendment changes the deadline for the Department of Health and Human Services to submit the application for 2 MaineCare waivers from July 1, 2013 to October 1, 2013. This amendment also changes the goal of a maximum of 6 months for current and future waiting lists to a maximum of 6 months for future waiting lists.

See also LD 8.

**LD 986**

**Resolve, To Establish the Commission To Study Long-term Care Facilities**

**RESOLVE 78  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURNS MAKER	OTP-AM	S-201 S-325 GOODALL

This resolve establishes the Commission To Study Long-term Care Facilities. The commission has 13 members and is required to report by December 4, 2013.

**Committee Amendment "A" (S-201)**

The resolve establishes the Commission To Study Long-term Care Facilities. This amendment changes the