

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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STATE OF MAINE

126TH 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 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 1188

Resolve, Directing the Department of Health and Human Services To Amend Its Rules of Reimbursement under the MaineCare Program for Audiology and Speech-language Pathology Services

CARRIED OVER

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

This resolve directs the Department of Health and Human Services to amend the rules of reimbursement under the MaineCare program for audiology and speech-language pathology services by October 1, 2013 in order to equalize rates, eliminate a prior authorization requirement and provide for payment by the MaineCare program of the Medicare deductible for audiology services for certain MaineCare members. The rules are designated as routine technical rules.

Committee Amendment "A" (H-494)

This amendment deletes the provisions of the resolve that pertain to services for persons who are eligible for the Medicare program and that pertain to prior authorization. The amendment retains the provision that raises rates for speech and hearing pathology services, but at only half the increase proposed in the resolve, and replaces references to "hearing services" with references to "audiology services." It also adds an appropriations and allocations section.

This bill was committed to the Joint Standing Committee on Appropriations and Financial Affairs and was 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 1189

Resolve, Regarding Implementation of Cost-of-living Increases for Nursing Facilities

**RESOLVE 72
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GATTINE	OTP-AM	H-513

This bill amends the law governing the nursing facility and assisted living facility cost-of-living adjustment enacted by the 125th Legislature to specify that during the first year in which an adjustment is made, the reimbursement is reduced by that portion of the adjustment that exceeds the percentage increase in wages and benefits actually provided to frontline employees during the facility's fiscal years ending in 2009, 2010 and 2011.

Committee Amendment "A" (H-513)

This amendment replaces the bill. It directs the Department of Health and Human Services to adopt rules regarding the cost-of-living adjustment payable to a nursing facility for the fiscal year that ends in 2012 that allow full payment of the cost-of-living adjustment if the required wage increases to frontline employees are granted over a longer period of time than allowed by current rule. The amendment authorizes the Department of Health and Human Services to adopt the rules on an emergency basis. The amendment designates the rules as routine technical rules.

Enacted Law Summary

Resolve 2013, chapter 72 directs the Department of Health and Human Services to adopt rules regarding the cost-of-living adjustment payable to a nursing facility for the fiscal year that ends in 2012 that allow full payment of the cost-of-living adjustment if the required wage increases to frontline employees are granted over a longer period of time than allowed by current rule. The resolve authorizes the Department of Health and Human Services to adopt the rules on an emergency basis. The resolve designates the rules as routine technical rules.