

# 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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\*Rep. Jane P. Pringle temporarily appointed for the duration of the absence of Rep. Matthew Peterson on the Health and Human Services Committee

# 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 1232     An Act To Maintain the Integrity of the Fund for a Healthy Maine**

**VETO  
SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRAVEN GRAHAM	OTP-AM ONTP	S-204 S-354 HILL

Under current law, the Fund for a Healthy Maine is funded by ongoing funds from the so-called tobacco settlement. These funds may not be transferred to the General Fund to be used for any purpose other than specified prevention and health promotion purposes except when specifically approved by the Legislature.

This bill removes the provision of current law that allows the Legislature to approve transfers of funds from the Fund for a Healthy Maine to the General Fund.

**Committee Amendment "A" (S-204)**

This amendment, which is the majority report of the Joint Standing Committee on Health and Human Services, incorporates a fiscal note.

**Senate Amendment "A" (S-354)**

This amendment provides that the legislation takes effect January 1, 2016.

**LD 1244     An Act To Require Child Protective Services To Screen Parents of  
Newborn Infants**

**ONTP**

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

This bill requires hospitals and institutions to electronically submit the same information that is submitted to the municipality in which the live birth occurred or the Department of Health and Human Services for the purposes of recording births and gathering medical information to the department to be used to identify any parent that has previously had parental rights terminated. Within 24 hours of receiving the birth record, the department must identify if a parent of a newborn child has previously had parental rights terminated. The department is required to adopt rules to determine appropriate action.

**LD 1245     Resolve, Directing the Department of Health and Human Services To  
Create a More Equitable, Transparent Resource Allocation System for  
Nursing Facilities Based on Residents' Needs**

**ONTP**

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

This resolve instructs the Department of Health and Human Services to eliminate the current nursing home reimbursement peer group limits and establish a capitated system that treats all facilities equally by setting MaineCare rates as a percentage of the existing Medicare acuity-based resource utilization group rates. It also requires the department to publish on a publicly accessible website its reimbursement rates and any related exception adjustments of all providers. Availability of MaineCare funds will be used to determine the base

