

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON HEALTH AND HUMAN
SERVICES**

May 2014

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STATE OF MAINE
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LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

The *Digest* is arranged 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.

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 HOUSESHouse & 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
EMERGENCYenacted 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 Second Regular Session of the 126th Legislature is August 1, 2014. 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

not smoked. It allows a hospice provider facility or nursing facility to adopt a policy that restricts or prevents the use or storage of marijuana by qualifying patients residing within the facility.

LD 1794 An Act To Cancel the No-bid Alexander Group Contract To Produce Savings in Fiscal Year 2013-14 Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FARNSWORTH CRAVEN	OTP-AM ONTP	H-684 H-760 FARNSWORTH

This bill prohibits the Department of Health and Human Services from expending or transferring funds to the Alexander Group, Inc. for the performance of a comprehensive evaluation of the safety net programs administered by the department or a review or analysis of the department's programs, processes, practices or potential reforms or for any other consulting services, and it deappropriates and deallocates unexpended funds that are encumbered for this project.

Committee Amendment "A" (H-684)

This amendment, which is the majority report of the committee, incorporates a fiscal note.

House Amendment "A" (H-760)

This amendment strikes the emergency preamble and the emergency clause.

LD 1815 An Act To Require a Work Search for Job-ready Applicants for Benefits under the Temporary Assistance for Needy Families Program Accepted Majority (ONTP) Report

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

This bill creates a work search requirement for job-ready applicants to the Temporary Assistance for Needy Families program. Before assistance is granted, an applicant must apply in writing for three separate advertised jobs and provide verifiable documentation to the Department of Health and Human Services, if considered job-ready.

LD 1820 Resolve, Directing the Department of Health and Human Services To Develop a Report with Data on Out-of-state Access to Temporary Assistance for Needy Families Program Benefits Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NADEAU A BURNS	OTP-AM OTP-AM	H-792

This bill prohibits a recipient of benefits under the Temporary Assistance for Needy Families program from using an electronic benefits transfer card, or EBT card, outside of Maine, either at an automated teller machine or for an electronic point of sale transaction.

Committee Amendment "A" (H-792)

This amendment, which is the majority report of the committee, replaces the bill with a resolve. It requires the Department of Health and Human Services to develop a report on out-of-state access to Temporary Assistance for

Joint Standing Committee on Health and Human Services

Needy Families program benefits to be submitted to the Joint Standing Committee on Health and Human Services no later than November 1, 2014. The report must include data on out-of-state transactions at automated teller machines and electronic points of sale, the types of establishments where benefits are accessed, the type of purchases made using point-of-sale transactions and the duration of continuous access out of state. The Department of Health and Human Services is required to work with the Office of the Attorney General to investigate possible misuse of benefits and whether continuous use outside of the State means the individual accessing those benefits is no longer a resident of the State.

LD 1822 An Act To Increase Integrity in the Temporary Assistance for Needy Families Program through Restriction of Expenditures

Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MACDONALD S CUSHING	OTP-AM OTP-AM OTP-AM	H-787

This bill prohibits benefits provided under the Temporary Assistance for Needy Families program from being expended on tobacco, imitation liquor, liquor, gambling, lotteries or bail.

Committee Amendment "A" (H-787)

This amendment, which is the majority report of the committee, replaces the bill. It prohibits the use of the electronic benefits transfer system at tobacco specialty stores. It requires the Department of Health and Human Services to develop an education program for recipients of benefits under the Temporary Assistance for Needy Families program that emphasizes that those benefits are to be used for supporting dependent children and are not to be used to pay for tobacco products, liquor products, gambling activities, lotteries or bail. In addition, the Department of Health and Human Services must collect as much data as possible on the use of Temporary Assistance for Needy Families program benefits for tobacco and liquor products, gambling activities, lotteries and bail. The department is required to report its findings, including recommendations and suggested legislation, to the joint standing committee of the Legislature having jurisdiction over health and human services matters no later than December 15, 2014.

Committee Amendment "B" (H-788)

This amendment, a minority report of the committee, incorporates a fiscal note.

Committee Amendment "C" (H-789)

This amendment, which is a minority report of the committee, bans the use of electronic transfer system benefits at tobacco specialty stores. It requires the Department of Health and Human Services to develop an education program for recipients of benefits under the Temporary Assistance for Needy Families program that emphasizes the importance of using benefits for supporting dependent children and the prohibition on using benefits to purchase tobacco products or liquor products or for gambling activities, lotteries or bail. In addition, the Department of Health and Human Services must collect as much data as possible on the use of Temporary Assistance for Needy Families program benefits for tobacco and liquor products, gambling activities, lotteries and bail. The department is required to report its findings, including recommendations and suggested legislation, to the joint standing committee of the Legislature having jurisdiction over health and human services matters no later than December 15, 2014.

House Amendment "A" To Committee Amendment "A" (H-802)

This amendment restores the provisions of the bill that prohibit benefits under the Temporary Assistance for Needy Families program from being expended on tobacco, imitation liquor, liquor, gambling, lotteries or bail. In addition, the Department of Health and Human Services is directed to collect information on the cost and impact of implementing and enforcing the restrictions on the use of Temporary Assistance for Needy Families program