

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
FIRST REGULAR SESSION



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

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

August 2015

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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 127th 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. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

<i>CARRIED OVER</i>	<i>carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i>	<i>chapter # of constitutional resolution passed by both houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; legislation died</i>
<i>DIED BETWEEN HOUSES</i>	<i>House & Senate disagreed; legislation died</i>
<i>DIED IN CONCURRENCE</i>	<i>defeated in each house, but on different motions; legislation died</i>
<i>DIED ON ADJOURNMENT</i>	<i>action incomplete when session ended; legislation died</i>
<i>EMERGENCY</i>	<i>enacted law takes effect sooner than 90 days after session adjournment</i>
<i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i>	<i>emergency failed to receive required 2/3 vote</i>
<i>FAILED, ENACTMENT or FINAL PASSAGE</i>	<i>failed to receive final majority vote</i>
<i>FAILED, MANDATE ENACTMENT</i>	<i>legislation proposing local mandate failed required 2/3 vote</i>
<i>HELD BY GOVERNOR</i>	<i>Governor has not signed; final disposition to be determined at subsequent session</i>
<i>LEAVE TO WITHDRAW</i>	<i>sponsor's request to withdraw legislation granted</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>ruled out of order by the presiding officer; legislation died</i>
<i>INDEF PP</i>	<i>indefinitely postponed; legislation died</i>
<i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i>	<i>ought-not-to-pass report accepted; legislation died</i>
<i>P&S XXX</i>	<i>chapter # of enacted private & special law</i>
<i>PUBLIC XXX</i>	<i>chapter # of enacted public law</i>
<i>RESOLVE XXX</i>	<i>chapter # of finally passed resolve</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's veto</i>

The effective date for non-emergency legislation enacted in the First Regular Session of the 127th Legislature is October 15, 2015. 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 45

An Act To Exempt Certain Capital Expenditures from the Maine Certificate of Need Act of 2002

Died Between Houses

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

This bill provides that capital expenditures that result in no net increase in MaineCare costs do not require a certificate of need.

LD 63

Resolve, To Require the Department of Health and Human Services To Provide Supplemental Reimbursement to Adult Family Care Homes and Residential Care Facilities in Remote Island Locations

**RESOLVE 45
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KUMIEGA BREEN	OTP-AM ONTP	H-49

This resolve requires the Department of Health and Human Services to amend its rules governing MaineCare reimbursement for both adult family care services and private nonmedical institution services to provide supplemental MaineCare reimbursement of an additional 15 percent to adult family care homes and residential care facilities in remote island locations.

Committee Amendment "A" (H-49)

This amendment, which is the majority report of the committee, makes the following changes to the resolve.

1. It adds an emergency preamble and emergency clause.
2. It requires the Department of Health and Human Services to amend its rules to provide supplemental reimbursement to adult family care homes and residential care facilities in remote island locations in the resolve by October 1, 2015.
3. It allows the Department of Health and Human Services to adopt the rules as an emergency without the necessity of demonstrating that immediate adoption is necessary to avoid a threat to public health, safety or general welfare.
4. It requires the Department of Health and Human Services to submit a state plan amendment to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to allow for the supplemental reimbursement.
5. It also adds an appropriations and allocations section to the resolve.

Enacted Law Summary

Resolve 2015, chapter 45 requires the Department of Health and Human Services to amend its rules governing MaineCare reimbursement for both adult family care services and private nonmedical institution services to provide supplemental MaineCare reimbursement of an additional 15 percent to adult family care homes and residential care facilities in remote island locations. The rules must be amended by October 1, 2015. The department may adopt the rules as an emergency without the necessity of demonstrating that immediate adoption is necessary to avoid a threat to public health, safety or general welfare. The department must submit a state plan amendment to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to allow for the