

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 205 **An Act To Facilitate the Development and Operation of a Group Home for Post-High School Adults with Developmental Disabilities** **ONTP**

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to provide necessary statutory support for a proposal for the development and operation of a group assisted living facility in Bar Harbor for post-high school adults with developmental disabilities operated by Local Solutions, a Maine corporation, referred to in this legislation as "the project." The project's goal is to assist the facility residents in building independent lives in the local community, supported by funds provided by the Department of Health and Human Services through a MaineCare waiver program or other possible sources of funding. The project has partnered with Community Housing of Maine, Inc., a corporation registered in the State, to develop a model to create innovative and accessible housing for young adults with intellectual, physical and cognitive disabilities to be replicated in other communities throughout the State. The site of the project is the donated former parish hall of St. Saviour's Episcopal Church in Bar Harbor, which will be renovated to provide housing to allow the residents to live as independently as possible while supported by paid staff and volunteers providing meals, taking residents to appointments and helping the residents with health and cleanliness practices and general cleaning and maintenance of the group home. The residents will be provided assistance with finding employment and recreation and with volunteering in the local community. The project has sought out other funding sources, including private fund-raising and housing choice vouchers from the Federal Government.

LD 213 **An Act To Ensure the Comprehensive Medical, Dental, Educational and Behavioral Assessment of Children Entering State Custody** **CARRIED OVER**

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

Current law regarding the physical examination and psychological assessment of children entering state custody requires the physical examination of a child within 10 working days after the child enters into the custody of the Department of Health and Human Services and a psychological assessment within 30 days of the examination if an assessment is determined appropriate by the doctor or nurse practitioner performing the physical examination. This bill shortens the time requirement for the physical examination to three working days and replaces the language regarding the psychological examination with language requiring a comprehensive medical, dental, behavioral and educational assessment meeting the standards of a national academy of pediatrics within 30 days after the department's custody of the child commences.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 219 **An Act To Protect a Child from Misuse of Identity** **ONTP**

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

This bill directs the Department of Health and Human Services to adopt rules to protect a child from the misuse of the identity of the child for household, business or commercial purposes. The rules must provide for releases to

Joint Standing Committee on Health and Human Services

make an inquiry, to review information and to refer a matter to the Attorney General if the department finds that a person has misused a child's identity for household, business or commercial purposes. The bill requires the department to report by April 1st each year to the joint standing committee of the Legislature having jurisdiction over health and human services matters on the results of child identity inquiries, reviews of information and referrals.

LD 266 An Act To Allow Access for Law Enforcement Officers to the List of ONTP
Registered Primary Caregivers for Medical Marijuana Patients

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

This bill permits disclosure of the Department of Health and Human Services' list of registered caregivers for medical marijuana patients to a law enforcement official in order to allow the law enforcement official to rule out a registered primary caregiver when verifying reports of criminal activity.

LD 274 Resolve, To Direct the Department of Health and Human Services To Died Between
Address the Growing Deficit in Room and Board Allowances Paid to Houses
Agencies Providing Residential Services to Adults with Intellectual
Disabilities or Autism

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

This bill requires the Office of Aging and Disability Services within the Department of Health and Human Services to identify the cost to the General Fund to ensure full funding of room and board costs incurred by agencies providing residential support to individuals with intellectual disabilities or autistic disorder served under MaineCare.

Committee Amendment "A" (H-131)

This amendment, which is the majority report of the committee, adds an appropriations and allocations section.

LD 292 An Act To Require Hospitals To Allow Patients To Provide Their Own ONTP
Medications

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

This bill provides a process by which a patient admitted to a hospital or on observation status in a hospital may request and obtain approval to provide the patient's own medication while in the hospital.