

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
127<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**

August 2015

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# STATE OF MAINE

127<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 127<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. 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 &amp; 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&amp;S XXX</i> .....	<i>chapter # of enacted private &amp; 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 127<sup>th</sup> 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 319      An Act To Strengthen the Economic Stability of Qualified Maine Citizens by Expanding Coverage of Reproductive Health Care and Family Services**

**PUBLIC 356**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCREIGHT GRATWICK	OTP-AM OTP-AM ONTP	H-243

This bill expands Medicaid coverage for reproductive health care and family planning services to adults and adolescents who have individual incomes less than or equal to 209 percent of the nonfarm income official poverty line as defined in accordance with federal law, which is the same Medicaid coverage level as for pregnant women.

**Committee Amendment "A" (H-243)**

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

**Committee Amendment "B" (H-244)**

This amendment, which is a minority report of the committee, replaces the bill with a resolve that directs the Department of Health and Human Services, in consultation with the Maine Board of Pharmacy, to develop a plan to ensure the safety of consumers if the United States Food and Drug Administration adopts the recommendations of the American College of Obstetricians and Gynecologists regarding the sale of over-the-counter oral contraceptives. The department is required to convey support to the United States Food and Drug Administration for the sale of over-the-counter oral contraceptives.

**Enacted Law Summary**

Public Law 2015, chapter 356 expands Medicaid coverage for reproductive health care and family planning services to adults and adolescents who have individual incomes less than or equal to 209 percent of the nonfarm income official poverty line as defined in accordance with federal law, which is the same Medicaid coverage level as for pregnant women.

**LD 327      An Act To Require Prescribers of Controlled Substances To Use the Controlled Substances Prescription Monitoring Program Software**

**ONTP**

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

This bill requires, beginning January 1, 2016, prescribers of controlled substances to obtain any available prescription monitoring information from the Controlled Substances Prescription Monitoring Program established by the Department of Health and Human Services related to a patient before prescribing or authorizing a refill of a prescription of a controlled substance to the patient.

**LD 343      An Act To Align the Federal Affordable Care Act's Health Care Coverage Opportunities and Hospital Charity Care**

**Died Between Houses**

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

***Joint Standing Committee on Health and Human Services***

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to align mandatory charity care laws governing hospitals and subsidized health insurance coverage under the federal Patient Protection and Affordable Care Act, Public Law 111-148, 124 Stat. 119 (2010).

**Committee Amendment "A" (H-260)**

This amendment, which is the minority report of the committee, replaces the concept draft and amends the laws regarding hospital charity care guidelines as follows.

1. It changes the term "charity care" to "financial assistance" in a number of statutory sections to better align state statute with the federal Patient Protection and Affordable Care Act.
2. It requires the Department of Health and Human Services to adopt rules rather than guidelines to regulate hospital financial assistance policies.
3. It provides for hospital financial assistance to patients without insurance coverage whose income is equal to or less than 138 percent of the federal poverty level.

The amendment also repeals Resolve 2005, chapter 148, which required the establishment of hospital free care guidelines for patients below 150 percent of the federal poverty level. The amendment provides an effective date of January 1, 2016.

<b>LD 358</b>	<b>An Act To Provide Additional Oversight over the Management of the Department of Health and Human Services</b>	<b>Died Between Houses</b>
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<u>Sponsor(s)</u> FARNSWORTH	<u>Committee Report</u> OTP ONTP	<u>Amendments Adopted</u>
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This bill requires the Director of the Maine Center for Disease Control and Prevention, the Superintendent of the Dorothea Dix Psychiatric Center and the Superintendent of Riverview Psychiatric Center to be appointed by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over health and human services matters and confirmation by the Senate.

<b>LD 368</b>	<b>An Act To Integrate the State's General Assistance and Temporary Assistance for Needy Families Programs</b>	<b>Died Between Houses</b>
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<u>Sponsor(s)</u> BRAKEY	<u>Committee Report</u> ONTP OTP-AM	<u>Amendments Adopted</u>
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This bill provides that a person who has exhausted the 60-month lifetime limit on Temporary Assistance for Needy Families program benefits is ineligible to receive municipal general assistance program benefits.

**Committee Amendment "A" (S-200)**

This amendment is the minority report of the committee. The amendment adds language to clarify that the provisions in the bill do not apply to a person who is in the process of seeking an extension of benefits under the Temporary Assistance for Needy Families program. The amendment also adds an appropriations and allocations section.