

# 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

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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 476      An Act To Require Pharmacies To Provide Disposal Receptacles for Used Hypodermic Apparatuses      Accepted Majority (ONTP) Report**

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

This bill requires the Maine Center for Disease Control and Prevention to adopt rules to add a requirement that hypodermic apparatus exchange programs require a pharmacy that dispenses hypodermic apparatuses to provide a container for the on-site disposal of used hypodermic apparatuses.

**LD 477      Resolve, To Increase Funding To Support Peer Centers      Died On Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STUCKEY GRATWICK	OTP-AM	H-160

This resolve requires an increase in funding to peer centers, also referred to as social clubs or drop-in centers, of 10 percent on the fiscal year 2014-15 contract budget amount for each of the 12 peer centers. A one-time payment must be made by October 1, 2015 and then be included in the baseline in the future.

**Committee Amendment "A" (H-160)**

This amendment adds an appropriations and allocations section.

A one-time appropriation of funding for both years of the biennium was included in Public Law 2015, chapter 267.

**LD 478      An Act To Require That Death Certificates Be Signed Using an Electronic Signature System      ONTP**

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

This bill requires death certificates to be signed using an electronic signature. "Electronic signature" has the same meaning as in the Uniform Electronic Transactions Act, an electronic sound, symbol or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

**LD 483      An Act Regarding the Reporting Standards for Child Abuse      PUBLIC 178**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BATES KATZ	OTP-AM	H-193

The bill creates an exception to the law mandating a report to the Department of Health and Human Services of suspected abuse or neglect of a child under six months of age for injuries occurring during birth when the delivery is

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

attended by a licensed medical practitioner.

### **Committee Amendment "A" (H-193)**

This amendment provides an additional exception, beyond the exception established in the bill, to the law mandating a report to the Department of Health and Human Services of suspected abuse or neglect of a child under six months of age for burns or other injuries occurring as a result of medical treatment following the delivery of the child while the child remains hospitalized.

### **Enacted Law Summary**

Public Law 2015, chapter 178 creates exceptions to the law mandating a report to the Department of Health and Human Services of suspected abuse or neglect of a child under six months of age for injuries occurring during birth when the delivery is attended by a licensed medical practitioner and for burns or other injuries occurring as a result of medical treatment following the delivery of the child while the child remains hospitalized.

**LD 517      Resolve, To Reconcile Conflicts between the Home and      ONTP**  
**Community-based Waiver Program for the Elderly and Adults with**  
**Disabilities and the Requirements of the Department of Health and**  
**Human Services and the Department of Public Safety**

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

This resolve directs the Commissioner of Health and Human Services and the Commissioner of Public Safety to convene a stakeholder group to resolve ongoing issues between the home and community-based waiver program for the elderly and adults with disabilities and the requirements of the Department of Health and Human Services and the Department of Public Safety. The stakeholder group is directed to report with a plan to resolve the issues to the commissioners by May 1, 2015. The commissioners are directed to submit by May 15, 2015 the report and any legislation necessary to implement the plan to the Joint Standing Committee on Health and Human Services, which is authorized to submit a bill to the First Regular Session of the 127th Legislature.

**LD 524      Resolve, To Develop a Pilot Program for Medication-assisted Recovery      Veto Sustained**  
**in a Rural Community at least 30 Miles from Bangor**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRATWICK GOODE	OTP-AM ONTP	S-203

This bill proposes to decrease the cost of and increase access to substance abuse treatment services by requiring the Department of Health and Human Services to increase the number of federally qualified health centers that provide methadone treatment services, to establish a pilot clinic location in a rural area at least 30 miles from any currently licensed methadone treatment clinic and to work to facilitate access to services and distribution of services across the State. The bill requires the department to amend the methadone clinic rules to eliminate the requirement that the centers be open for administration of methadone treatment on Sundays. The bill designates the rules as routine technical rules. The department is required to work with stakeholders to address current rules and policies that act as barriers to achieve the intent of this legislation.

### **Committee Amendment "A" (S-203)**

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 convene a stakeholder group to develop a plan for a pilot program for