

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

STAFF:

ANNA BROOME, LEGISLATIVE ANALYST
MICHAEL O'BRIEN, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

AND

LUKE LAZURE, LEGISLATIVE ANALYST
OFFICE OF FISCAL AND PROGRAM REVIEW
5 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1635

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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

for pregnant women 21 years of age and older.

LD 606 **An Act To Remove the Philosophical Exemption from the Immunization Requirements for School Students and Employees of Nursery Schools and Health Care Facilities** **ONTP**

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

This bill eliminates the philosophical exemption from immunization requirements for students in elementary and secondary schools and postsecondary schools and employees of nursery schools and health care facilities. The bill also directs the Department of Health and Human Services to remove any immunization exemptions because of philosophical beliefs from its rules.

LD 607 **An Act To Stop the Abuse of Electronic Benefits Transfer Cards** **Died Between Houses**

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

This bill amends the provisions regarding electronic benefits transfer cards by providing that:

1. For a violation of trafficking an electronic benefits transfer card, the benefits are suspended one year for a first offense and at least five years for a second or subsequent offense, with the penalties doubled if the benefits recipient trafficked the card in exchange for illegal drugs;
2. If an electronic benefits transfer card is found in the possession of a person other than the recipient and the person is arrested and charged for a drug offense, it creates a rebuttable presumption that the recipient trafficked the card for drugs;
3. A replacement electronic benefits transfer card must have a photograph of the recipient on the card; and
4. The Department of Health and Human Services is directed to send a letter to all recipients of benefits under the statewide food supplement program of the amended penalty provision. The recipient is required to sign and return the letter acknowledging the recipient understood the letter.

Committee Amendment "A" (H-245)

This amendment, which is the majority report of the committee, strikes out the sections of the bill relating to rebuttable presumption and penalties for trafficking. It retains the requirement for a replacement electronic benefits transfer card to have a photograph of the recipient on the card. The amendment also changes the title.

Committee Amendment "B" (H-246)

This amendment, which is a minority report of the committee, replaces the bill. It requires that the Department of Health and Human Services adopt rules if it requires the photograph of a recipient of an electronic benefits transfer card be added to the card either at issuance or replacement. Rules to add a photograph to the card are major substantive rules.

Joint Standing Committee on Health and Human Services

House Amendment "A" To Committee Amendment "B" (H-402)

This amendment prohibits final adoption of rules requiring a photograph of a recipient to be included on an electronic benefits transfer card unless legislation authorizing adoption of these rules becomes law.

LD 622 An Act To Require Training of Mandated Reporters under the Child Abuse Laws CARRIED OVER

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

This bill requires that a person in the professional categories required to report suspected child abuse or neglect must have completed mandated reporter training within the previous year before a professional license or certification for that person may be issued or renewed.

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

LD 632 An Act To Require the State To Administer and Fund the General Assistance Program ONTP

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

This bill shifts responsibility for the full funding and administration of the general assistance program from municipalities to the Department of Health and Human Services. The bill directs the department to adopt by December 31, 2015 major substantive rules necessary to implement the transfer of responsibilities. The transfer of responsibilities under the bill is effective January 1, 2016.

LD 633 An Act To Improve the Health of Maine Citizens and the Economy of Maine by Providing Affordable Market-based Coverage Options to Low-income Uninsured Citizens CARRIED OVER

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to establish an affordable market-based program to provide health insurance coverage to low-income uninsured Maine citizens who earn less than 133 percent of the federal poverty level. The program would be modeled after the Insure Tennessee program and the SHARE Plan program in Wyoming.

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