

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

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

**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

**MEMBERS:**

SEN. ERIC L. BRAKEY, CHAIR  
SEN. EARLE L. MCCORMICK  
SEN. ANNE M. HASKELL

REP. DREW GATTINE, CHAIR  
REP. PETER C. STUCKEY  
REP. MATTHEW J. PETERSON  
REP. SCOTT M. HAMANN  
REP. CHRISTINE S. BURSTEIN  
REP. PATRICIA HYMANSON  
REP. DEBORAH J. SANDERSON  
REP. RICHARD S. MALABY  
REP. FRANCES M. HEAD  
REP. KAREN VACHON

# STATE OF MAINE

127<sup>TH</sup> LEGISLATURE

FIRST REGULAR SESSION



## 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 647      An Act To Require the Department of Health and Human Services To      Veto Sustained**  
**Update Its Rules Governing Services for Children with Cognitive**  
**Impairments and Functional Limitations**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY	OTP-AM ONTP	S-193

This bill requires the Department of Health and Human Services to annually update MaineCare coverage for rehabilitative and community support services for children with cognitive impairments and functional limitations. The bill also requires the department to amend MaineCare rules for those services, specifically amending the definitions of and coverage for specialized services and specialized services for children with cognitive impairments and functional limitations.

**Committee Amendment "A" (S-193)**

This amendment, which is the majority report of the committee, establishes an ongoing working group to evaluate research on treatments for children with cognitive impairments and functional limitations to determine treatments that are evidence-based and that may be eligible for MaineCare and to submit recommendations to the Commissioner of Health and Human Services. The working group shall submit a report on findings, current level of evidence and actions taken by the Department of Health and Human Services to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 15th of each odd-numbered year. It adds a requirement for the Department of Health and Human Services to publish a list of evidence-based treatments for children with cognitive impairments and functional limitations that are reimbursed by MaineCare. The amendment retains the rule-making requirement in the bill.

**LD 649      Resolve, To Ensure That MaineCare-eligible Children Have Equal      RESOLVE 30**  
**Access to Providers of Dental, Hearing and Vision Services**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY STUCKEY	OTP-AM	S-127

This resolve requires the Department of Health and Human Services to amend its Rule Chapter 101, MaineCare Benefits Manual, Chapter II, Section 75 to increase the reimbursement rate for eyeglasses for children by 50 percent by January 1, 2016. This resolve also directs the department to convene a task force to review the reimbursement rates for certain services to MaineCare recipients and to report the findings to the Joint Standing Committee on Health and Human Services.

**Committee Amendment "A" (S-127)**

This amendment replaces the resolve. The amendment requires the Department of Health and Human Services, with input from stakeholders, to develop a comprehensive strategy to ensure that MaineCare-eligible children have the same access to providers of dental, hearing and vision services as have children with private health insurance. The amendment requires the department to submit the strategy and related recommendations to the Joint Standing Committee on Health and Human Services by January 15, 2016.

**Enacted Law Summary**

Resolve 2015, chapter 30 requires the Department of Health and Human Services, with input from stakeholders, to develop a comprehensive strategy to ensure that MaineCare-eligible children have the same access to providers of dental, hearing and vision services as have children with private health insurance. It requires the department to

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

submit the strategy and related recommendations to the Joint Standing Committee on Health and Human Services by January 15, 2016.

**LD 661      An Act To Fund HIV, Sexually Transmitted Diseases and Viral Hepatitis Screening, Prevention, Diagnostic and Treatment Services      CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURSTEIN GRATWICK	OTP-AM ONTP	H-174

This bill provides ongoing General Fund appropriations of \$391,800 per year beginning in fiscal year 2014-15 to provide screening and prevention services and diagnostic and treatment services for individuals throughout the State who are uninsured and without covered access to such services and who are at risk in accordance with criteria established by the program.

**Committee Amendment "A" (H-174)**

This amendment strikes the fiscal year 2014-15 appropriation from the bill and adds an appropriation of \$391,800 in fiscal year 2016-17.

This bill was carried over on the Special Appropriations Table to any special or regular session of the 127th Legislature by joint order, S.P. 555.

**LD 662      An Act To Increase Access to Health Care through Telemedicine      PUBLIC 137**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FOLEY GRATWICK	OTP-AM	H-194

This bill authorizes the Board of Licensure in Medicine to register a physician not licensed to practice medicine in this State to provide medical services through interstate telemedicine to patients in this State if certain requirements are met.

**Committee Amendment "A" (H-194)**

This amendment retains most provisions of the bill and does the following.

1. It allows the Board of Licensure in Medicine to register a physician not licensed to practice in the State to provide consultative services through interstate telemedicine.
2. As in the bill, it requires that the physician to be registered must be fully licensed without restriction to practice medicine in the state from which the physician provides telemedicine services.
3. It specifies that the physician to be registered may provide only consultative services and that a physician, advanced practice registered nurse or physician assistant in this State must retain ultimate authority over the diagnosis, care and treatment of the patient.
4. It requires that the physician to be registered register with the board every two years, instead of annually as in the bill, and pay a registration fee not to exceed \$500.
5. It removes the provision in the bill exempting certain physicians from the registration requirement.