

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 752 An Act To Permit Medical Marijuana Cultivation by Incapacitated Adults Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY L BRAKEY	OTP-AM	H-331

This bill allows a qualifying patient under the Maine Medical Use of Marijuana Act who is an incapacitated adult to possess marijuana and cultivate marijuana for that incapacitated adult's own use.

Committee Amendment "A" (H-331)

This amendment specifies that a qualifying patient who is an incapacitated adult may not cultivate marijuana for that patient's use unless the patient's legal guardian or person to whom the patient has granted power of attorney for health care decisions is designated as the patient's primary caregiver. Additionally, that primary caregiver may assist the qualifying patient with cultivation of the patient's own marijuana if the marijuana plants that are dedicated to the patient are segregated from any other marijuana plants.

The amendment prohibits a public guardian or conservator described under the Maine Revised Statutes, Title 18-A, section 5-601 from cultivating marijuana for a qualifying patient who is an incapacitated adult, but that guardian or conservator may designate a second primary caregiver to assist that patient with cultivation if the marijuana plants that are dedicated to the patient are segregated from any other marijuana plants.

LD 766 An Act To Require a Medical Marijuana Primary Caregiver Cultivating in a Residential Building To Obtain an Electrical Permit ONTP

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

This bill amends the Maine Medical Use of Marijuana Act to require, beginning January 2, 2016, a primary caregiver to obtain an electrical permit from an electrical inspector prior to cultivating in a residential building.

LD 771 An Act To Promote Dental Services for Prenatal and Postpartum Women ONTP

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

This bill provides MaineCare coverage for dental services including diagnostic, preventive and restorative services to pregnant women and postpartum women 21 years of age and older.

LD 772 An Act To Amend the Membership of the Child Care Advisory Council ONTP

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

Joint Standing Committee on Health and Human Services

This bill:

1. Amends the membership of the Child Care Advisory Council to include an employee of the Department of Health and Human Services, Division of Licensing and Regulatory Services; and
2. Further amends the statute relating to membership of the Child Care Advisory Council to reflect the Maine Afterschool Network's new partnership with the University of Southern Maine.

LD 782 An Act To Improve the Quality of Life of Persons with Serious Illnesses

PUBLIC 203

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LANGLEY MAKER	OTP	

This bill establishes the Palliative Care and Quality of Life Interdisciplinary Advisory Council to advise the Department of Health and Human Services, Maine Center for Disease Control and Prevention and report to three legislative committees. The bill requires the Maine Hospice Council, if resources permit, to establish an information and education program to maximize the effectiveness of palliative care initiatives by ensuring that comprehensive and accurate information and education are available and allows the council to seek outside funding for the advisory council. The bill requires the executive director of the Maine Hospice Council to convene the first meeting of the advisory council by October 1, 2015.

Enacted Law Summary

Public Law 2015, chapter 203 establishes the Palliative Care and Quality of Life Interdisciplinary Advisory Council to advise the Department of Health and Human Services, Maine Center for Disease Control and Prevention and report to three legislative committees. It further establishes the membership, procedures and duties of the advisory council.

Public Law 2015, chapter 203 requires the Maine Hospice Council, if resources permit, to establish an information and education program to maximize the effectiveness of palliative care initiatives by ensuring that comprehensive and accurate information and education are available and allows the council to seek outside funding for the advisory council. It further requires the executive director of the Maine Hospice Council to convene the first meeting of the advisory council by October 1, 2015.

LD 798 An Act To Strengthen Maine's Hospitals and Increase Access to Health Care

ONTP

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

This bill, which is contingent on approval by the voters of the State at referendum, does the following.

1. It expands medical coverage under the MaineCare program to adults who qualify under federal law with incomes up to 133 percent of the nonfarm income official poverty line, with the five percent federal income adjustment for family size. It repeals the expansion of medical coverage under the MaineCare program December 31, 2020, and it provides for repeal of the expansion prior to 2020 under certain circumstances.
2. It requires the Commissioner of Health and Human Services to provide certain information to the Secretary of the United States Department of Health and Human Services to enable the secretary to make the determination as to