

# 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***

This bill authorizes the prescription, possession and administration of opioid antagonists under certain circumstances and provides criminal and civil immunities for such prescription, possession and administration.

**LD 816      An Act To Reform Welfare and Eliminate the Welfare Cliff      ONTP**

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to enact measures designed to reform welfare and eliminate the so-called welfare cliff. This bill would establish a system of gradual reduction, rather than an abrupt cessation, of welfare benefits to an individual as the individual's income rises.

**LD 821      An Act To Promote Equity in Business Opportunity for Tobacco Specialty Stores      Died Between Houses**

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

This bill allows certain tobacco specialty stores to be licensed as a cigar lounge, which may serve nonalcoholic and alcoholic beverages. A cigar lounge may not sell cigarettes or prepare food on premises for sale. A tobacco specialty store that is a cigar lounge must provide notice about the dangers of environmental tobacco smoke to applicants for employment and employees. The cigar lounge license fee is \$100.

**Committee Amendment "A" (S-262)**

This amendment, which is the majority report of the committee, amends the bill by prohibiting the use of electronic nicotine delivery devices in cigar lounges and prohibiting a person under 21 years of age from being on the premises or employed by the cigar lounge. It clarifies that a cigar lounge license under the Maine Revised Statutes, Title 28-A is required for a cigar lounge to operate.

**LD 831      Resolve, To Reduce MaineCare Spending through Targeted Prevention Services      RESOLVE 54**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANBORN VALENTINO	OTP-AM	H-281 S-326    HAMPER

This resolve requires the Department of Health and Human Services to file an application with the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to request that home-delivered meals be a reimbursable covered service under the State's home-based and community-based services waivers. The purpose of this resolve is to improve health and delay entry into facility-based care.

**Committee Amendment "A" (H-281)**

This amendment limits the proposal for home-delivered meals in the resolve to individuals qualified for services under Rule Chapter 101, MaineCare Benefits Manual, Chapter II, Section 19 who also are experiencing transitions of care, have debilitating or acute illnesses or are primarily homebound and unable to prepare nutritious meals. The amendment also adds an appropriations and allocations section.

*Joint Standing Committee on Health and Human Services*

**Senate Amendment "A" To Committee Amendment "A" (S-326)**

This amendment removes the appropriations and allocations section.

**Enacted Law Summary**

Resolve 2015, chapter 54 requires the Department of Health and Human Services to file an application with the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to request that home-delivered meals be a reimbursable covered service for individuals qualified for services under Rule Chapter 101, MaineCare Benefits Manual, Chapter II, Section 19 who are also experiencing transitions of care, have debilitating or acute illnesses or are primarily homebound and unable to prepare nutritious meals. Funding for this service was included in Public Law 2015, chapter 267.

**LD 832      An Act To Improve Public Health in Maine      ONTP**

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to consolidate the infrastructure for various public health services, such as emergency medical technician services, on a countywide basis.

**LD 841      Resolve, Directing the Department of Health and Human Services To  
Develop a Bus Pass Program      ONTP**

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

This resolve requires the Department of Health and Human Services to develop and implement a bus pass program by January 1, 2016 to serve individuals who live in areas served by public bus systems and who use those transport systems to attend medical appointments reimbursed by MaineCare under the nonemergency transportation program within the MaineCare program and participate in other programs that are aimed at fostering independence and economic security such as the ASPIRE-TANF program. The department must identify funding sources that could be leveraged, including funding currently used for the nonemergency transportation program within the MaineCare program and possible Department of Labor and Department of Education resources targeted toward employment. The department must report to the Joint Standing Committee on Health and Human Services by March 1, 2016 on the status of the bus pass program including the number of passes issued and individuals being served and sources of funding.

**LD 842      An Act To Establish Peer Center Reimbursement      CARRIED OVER**

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

This bill directs the Department of Health and Human Services to establish reimbursement rates for peer centers.

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