

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON HEALTH AND
HUMAN SERVICES**

May 2016

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STATE OF MAINE

127TH LEGISLATURE

SECOND 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 Second 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.

CARRIED OVER..... *carried over to a subsequent session of the Legislature*
CON RES XXX..... *chapter # of constitutional resolution passed by both houses*
CONF CMTE UNABLE TO AGREE..... *Committee of Conference unable to agree; legislation died*
DIED BETWEEN HOUSES..... *House & Senate disagreed; legislation died*
DIED IN CONCURRENCE..... *defeated in each house, but on different motions; legislation died*
DIED ON ADJOURNMENT..... *action incomplete when session ended; legislation died*
EMERGENCY..... *enacted law takes effect sooner than 90 days after session adjournment*
FAILED, EMERGENCY ENACTMENT or PASSAGE..... *emergency failed to receive required 2/3 vote*
FAILED, ENACTMENT or FINAL PASSAGE..... *failed to receive final majority vote*
FAILED, MANDATE ENACTMENT..... *legislation proposing local mandate failed required 2/3 vote*
HELD BY GOVERNOR..... *Governor has not signed; final disposition to be determined at subsequent session*
LEAVE TO WITHDRAW..... *sponsor's request to withdraw legislation granted*
NOT PROPERLY BEFORE THE BODY..... *ruled out of order by the presiding officer; legislation died*
INDEF PP..... *indefinitely postponed; legislation died*
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... *ought-not-to-pass report accepted; legislation died*
P&S XXX..... *chapter # of enacted private & special law*
PUBLIC XXX..... *chapter # of enacted public law*
RESOLVE XXX..... *chapter # of finally passed resolve*
VETO SUSTAINED..... *Legislature failed to override Governor's veto*

The effective date for non-emergency legislation enacted in the First Regular Session of the 127th Legislature is July 29, 2016. 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

3. Provides that, if a label for medical marijuana refers to information about contaminants, potency or cannabinoid profile, the label must be verified by a marijuana testing facility;
4. Amends the definition of "incidental amount of marijuana" to mirror the definition contained in rule;
5. Requires a medical provider, prior to referring a patient to an entity that provides goods and services related to the medical use of marijuana, to provide written disclosure to the patient of any financial interest the provider has or may have in the referral; and
6. Provides legal protection to hospitals and principal officers, board members, agents and employees of hospitals when the use of smokeless forms of medical marijuana occurs in the hospital by admitted patients who are certified to do so in accordance with the Maine Medical Use of Marijuana Act.

Enacted Law Summary

Public Law 2015, chapter 475 allows for the operation of marijuana testing facilities. These facilities may possess marijuana regulated under the Maine Medical Use of Marijuana Act.

In addition, Public law 2015, chapter 475:

1. Creates an immunity provision within the Maine Medical Use of Marijuana Act for marijuana testing facilities;
2. Directs the Department of Health and Human Services to issue registry identification cards to certain individuals at marijuana testing facilities;
3. Provides that, if a label for medical marijuana refers to information about contaminants, potency or cannabinoid profile, the label must be verified by a marijuana testing facility;
4. Amends the definition of "incidental amount of marijuana" to mirror the definition contained in rule;
5. Requires a medical provider, prior to referring a patient to an entity that provides goods and services related to the medical use of marijuana, to provide written disclosure to the patient of any financial interest the provider has or may have in the referral; and
6. Provides legal protection to hospitals and principal officers, board members, agents and employees of hospitals when the use of smokeless forms of medical marijuana occurs in the hospital by admitted patients who are certified to do so in accordance with the Maine Medical Use of Marijuana Act.

LD 842 An Act To Establish Peer Center Reimbursement

**Died On
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STUCKEY P LIBBY N	OTP-AM	H-649

This bill was carried over from the First Regular Session of the 127th Legislature.

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

Committee Amendment "A" (H-649)

This amendment replaces the bill. Like the bill, the amendment requires the Department of Health and Human Services to establish reimbursement rates for peer centers, but the amendment removes the requirement for an

Joint Standing Committee on Health and Human Services

annual inflation adjustment. It clarifies the definition for "peer center." It also adds additional funding of \$75,000 in fiscal year 2016-17.

LD 860 Resolve, To Adjust Reimbursement Rates for Dental Services and Improve Access to Dental Care under the MaineCare Program Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCORMICK E	OTP-AM OTP-AM	S-235

This resolve was reported out of committee in the First Regular Session of the 127th Legislature and carried over on the Special Appropriations Table.

This resolve directs the Department of Health and Human Services to incrementally adjust the MaineCare reimbursement rates for certain dental services annually over the next five years until the rates reach the 10th percentile of the fees for the New England region in the most recent "Survey of Dental Fees" published by the American Dental Association. The resolve provides that the rates must then be adjusted annually for inflation.

Committee Amendment "A" (S-235)

This amendment is the majority report of the committee. It clarifies that increases to reimbursement rates of the dental codes in the resolve are to be made in five equal increases. The amendment requires the Department of Health and Human Services to amend the rules under Chapter 101: MaineCare Benefits Manual, Chapter II, Section 25 to cover diagnostic and preventive services to pregnant women and postpartum women and dental services necessary to avoid more costly medical or dental care as identified by a stakeholder group. It requires the Department of Health and Human Services to provide information concerning adult dental benefits to adult MaineCare members and providers. It requires the department to adopt rules by January 1, 2016 relating to dental coverage for pregnant women and postpartum women and for services provided to avoid more costly medical or dental care. The amendment also adds an appropriations and allocations section. The amendment also changes the title and adds a fiscal note.

Committee Amendment "B" (S-236)

This amendment, which is the minority report of the committee, replaces the resolve. It requires the Department of Health and Human Services to conduct a review of the reimbursement rates under the MaineCare program for the dental codes in the resolve to determine if the current reimbursement levels are appropriate for recruiting and retaining sufficient numbers and geographic coverage of dentists providing services to MaineCare members. The department shall report its findings no later than January 1, 2016 to the Joint Standing Committee on Health and Human Services. The joint standing committee may report out legislation related to the report to the Second Regular Session of the 127th Legislature.

This amendment was not adopted.

LD 885 An Act To Promote Enhanced Eligibility Verification in Maine's Welfare System ONTP

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

This bill was carried over from the First Regular Session of the 127th Legislature.