

# 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***

**LD 854      An Act To Increase Access to Health Security by Expanding Federally Funded Health Care for Maine People**

**Died Between Houses**

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

This bill 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, and qualifies Maine to receive federal funding for 100 percent of the cost of coverage for members who enroll under the expansion. Adults who will be eligible are those 21 to 64 years of age beginning January 1, 2016 and adults 19 and 20 years of age beginning October 1, 2019.

**Committee Amendment "A" (H-470)**

This amendment replaces the substantive provisions of the bill, designating as Part A the provision of the bill that expands medical coverage under the Medicaid program to adults under 65 years of age 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, and qualifies the State to receive enhanced federal funding for the cost of coverage of newly eligible members. It further provides for an annual expenditure cap for services, requiring quarterly expenditure reporting and a mechanism for terminating coverage if it is determined that expenditures will not remain within the cap. It also terminates coverage if the enhanced federal share drops below the amount specified in the federal Patient Protection and Affordable Care Act, 42 United States Code, Section 18001, et seq., as enacted in 2010.

Part B requires the Office of Fiscal and Program Review to study the impact of the MaineCare expansion on programs and services that do not currently receive federal medical assistance percentage matching funds or do not qualify for enhanced federal medical assistance percentage matching funds under the federal Patient Protection and Affordable Care Act with the goal of identifying and maximizing General Fund savings. The fiscal office shall report twice, no later than February 15, 2016 and February 15, 2017, respectively, to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs, the joint standing committee of the Legislature having jurisdiction over health and human services matters and the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters on the amount of General Fund savings resulting from the MaineCare expansion. It requires the State Budget Officer to calculate the amount of savings that applies against each General Fund account for all departments and agencies from savings associated with the MaineCare expansion and to transfer the amounts by financial order upon the approval of the Governor. Any remaining savings must be transferred to the MaineCare Stabilization Fund. It adds an appropriations and allocations section.

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

**CARRIED OVER**

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

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.

*Joint Standing Committee on Health and Human Services*

**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 resolve 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 885      An Act To Promote Enhanced Eligibility Verification in Maine's Welfare System      CARRIED OVER**

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

This bill requires the Department of Health and Human Services to determine the eligibility for benefits of recipients of State assistance on an annual basis.

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

**LD 886      Resolve, Directing the Department of Health and Human Services To Increase Reimbursement Rates for Home-based and Community-based Services      CARRIED OVER**

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

This resolve directs the Department of Health and Human Services to increase the reimbursement rates for home-based and community-based services by January 15, 2016.

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