

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

This bill establishes requirements that a prescriber must follow prior to prescribing extended-release hydrocodone bitartrate. The bill requires prescribers of extended-release hydrocodone bitartrate to:

1. Obtain prescription monitoring information related to the patient;
2. Schedule a follow-up visit with the patient; and
3. Assess the patient's pain to evaluate whether the patient's pain can be managed with a medication other than extended-release hydrocodone bitartrate.

LD 1006 An Act To Prevent Beneficiaries under the Statewide Food Supplement Program from Carrying Forward Unused Benefit Amounts ONTP

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

This bill requires that any unused balance in excess of \$1,000 representing statewide food supplement program benefits that were not used in the previous calendar year in a recipient's electronic benefits transfer account on January 1st must be transferred from the account to the General Fund.

LD 1030 An Act To Better Coordinate the Work of Mental Health Crisis Agencies with Law Enforcement Agencies CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DION GERZOFISKY		

This bill requires the Department of Health and Human Services to provide assistance to crisis intervention teams and agencies that provide mental health crisis services and to law enforcement agencies to enable them to coordinate mental health crisis services. The bill sets July 1, 2016 as the date by which a crisis intervention team or agency must enter into and sign a memorandum of understanding with each law enforcement agency that provides law enforcement services in the area of the State served by the crisis intervention team or agency. The bill requires the memorandum of understanding to be effective for three years and to be renewed for a three-year period upon expiration. The memorandum of understanding must include descriptions of the following: the internal processes that the law enforcement agency uses to identify a person in need of mental health crisis services; the protocol that the law enforcement agency uses to share a contact report with a crisis intervention team or agency; the process the crisis intervention team or agency uses to receive the report; the protocol that the crisis intervention team or agency uses to communicate with a person in need of mental health services or the guardian or family members of that person; and the procedures to be used to convene on a quarterly basis multidisciplinary team meetings to review experiences and discuss opportunities for improvement.

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

LD 1034 An Act To Prohibit the Use of EBT Cards for Cash Withdrawals ONTP

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

Joint Standing Committee on Health and Human Services

This bill provides that benefits received through the electronic benefits transfer system may only be redeemed through purchase by electronic transfer and may not be redeemed for cash.

LD 1035 An Act To Create a 9-month Time Limit on General Assistance Benefits

**Died Between
Houses**

Sponsor(s)

BRAKEY

Committee Report

ONTP
OTP-AM

Amendments Adopted

This bill limits to a maximum of 275 days every five years the general assistance benefits a person who does not have any dependents and who is capable of working may receive.

Committee Amendment "A" (S-85)

This amendment, which is the minority report of the committee, adds a fiscal note.

LD 1036 An Act To Prioritize Use of Available Resources in General Assistance Programs

**Died Between
Houses**

Sponsor(s)

BRAKEY

Committee Report

ONTP
OTP-AM

Amendments Adopted

This bill makes an applicant for general assistance who voluntarily abandons or refuses to use an available resource without just cause ineligible to receive general assistance to replace the abandoned resource for a period of 120 days from the date the applicant abandons the resource. The bill defines "available resource" as a resource that is immediately available or can be secured without delay. The bill also makes an applicant who forfeits an available resource due to fraud, misrepresentation or intentional violation or refusal to comply with rules without just cause ineligible to receive general assistance to replace the forfeited resource for the duration of the sanction imposed on the applicant for violation of a rule or 120 days, whichever is greater. The bill identifies circumstances relating to use of an available resource under which just cause must be found.

Committee Amendment "A" (S-194)

This amendment, which is the minority report of the committee, retains from the bill a definition for "available resource" but moves it to the general definition section for the chapter of law relating to municipal general assistance. The amendment also removes the provision in the bill that identifies circumstances relating to the use of an available resource under which just cause must be found, relying instead on the definition of "just cause" in the general definition section.

LD 1037 An Act To Establish a 180-day Residency Requirement for Welfare Benefits

**Accepted Majority
(ONTP) Report**

Sponsor(s)

BRAKEY

Committee Report

ONTP
OTP-AM

Amendments Adopted