

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

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

**STAFF:**

ANNA BROOME, LEGISLATIVE ANALYST  
MICHAEL O'BRIEN, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670

AND

LUKE LAZURE, LEGISLATIVE ANALYST  
OFFICE OF FISCAL AND PROGRAM REVIEW  
5 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1635

**MEMBERS:**

SEN. ERIC L. BRAKEY, CHAIR  
SEN. EARLE L. MCCORMICK  
SEN. ANNE M. HASKELL

REP. DREW GATTINE, CHAIR  
REP. PETER C. STUCKEY  
REP. MATTHEW J. PETERSON  
REP. SCOTT M. HAMANN  
REP. CHRISTINE S. BURSTEIN  
REP. PATRICIA HYMANSON  
REP. DEBORAH J. SANDERSON  
REP. RICHARD S. MALABY  
REP. FRANCES M. HEAD  
REP. KAREN VACHON

# STATE OF MAINE

127<sup>TH</sup> LEGISLATURE

FIRST 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 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 1090      Resolve, To Establish a Pilot Project for Medicaid Reimbursement for Acupuncture Treatment of Substance Abuse Disorders      Veto Sustained**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANDERSON	OTP-AM ONTP	H-438

This resolve requires the Department of Health and Human Services and the department's Office of Substance Abuse and Mental Health Services to apply for a community-based waiver from the federal United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to develop a pilot project to treat alcohol abuse disorders, substance abuse disorders and co-occurring disorders using the National Acupuncture Detoxification Association auricular acupuncture protocol. The project may last no longer than two years and must be reimbursable as allowed under the United States Social Security Act and be cost-neutral or result in savings to the MaineCare program. The department and the office must report their findings to the joint standing committee of the Legislature having jurisdiction over health and human services matters at the end of the project.

**Committee Amendment "A" (H-438)**

This amendment is the majority report. The amendment requires the Department of Health and Human Services and the department's Office of Substance Abuse and Mental Health Services to apply by January 1, 2016 for authorization from the federal United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to develop a pilot project to treat alcohol abuse disorders, substance abuse disorders and co-occurring disorders using the National Acupuncture Detoxification Association auricular acupuncture protocol. The amendment requires the department to consult with the statewide association representing licensed acupuncturists in the establishment of treatment standards. The amendment requires that the treatment be provided by a person who is licensed to practice acupuncture in the State and whose license is in good standing.

**LD 1097      An Act To Improve the Integrity of Maine's Welfare Programs      CARRIED OVER**

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

This bill restricts the use of benefits for recipients of temporary assistance for needy families under the electronic benefits transfer system by prohibiting use of the electronic benefits transfer system outside of the State, except for in New Hampshire, withdrawals of cash per month in an amount over 25 percent of a recipient's monthly benefits and expenditures on items such as tobacco products, liquor and lottery tickets and several other similar items. This bill also directs the Department of Health and Human Services to hire five additional fraud investigators.

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

**LD 1108      An Act To Protect Children and the Public from Vapor from Electronic Smoking Devices      PUBLIC 318**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCABE	OTP-AM OTP-AM	H-428

This bill includes in the definition of "smoking" an electronic cigarette giving off vapor for the purpose of restricting smoking in public places.