

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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STATE OF MAINE

127TH LEGISLATURE
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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

Committee Amendment "A" (H-282)

This amendment, which is the majority report of the committee, adds an appropriations and allocations section.

LD 1337 An Act To Fund the Family Caregiver Support Program

PUBLIC 348

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MALABY	OTP-AM	H-173 S-319 HAMPER

This bill provides additional General Fund appropriations of \$182,000 in fiscal year 2015-16 and \$243,000 in fiscal year 2016-17 for the Department of Health and Human Services to fully fund the family caregiver support program within the department's office of aging and disability services. This appropriation is intended to eliminate the waiting list for the family caregiver support program in fiscal year 2015-16 and meet the growing demand for the program in fiscal year 2016-17.

Committee Amendment "A" (H-173)

This amendment provides the correct account number for the appropriation to the family caregiver support program.

Senate Amendment "A" To Committee Amendment "A" (S-319)

This amendment reduces funding provided in Committee Amendment "A" for the family caregiver support program in the Department of Health and Human Services' office of aging and disability services.

Enacted Law Summary

Public Law 2015, chapter 348 provides additional General Fund appropriations of \$120,500 in fiscal year 2015-16 and \$126,772 in fiscal year 2016-17 for the Department of Health and Human Services to fund the family caregiver support program within the department's office of aging and disability services.

LD 1348 An Act To Protect Older Adults from Financial Exploitation

**PUBLIC 332
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GATTINE HASKELL	OTP-AM	H-196 S-318 HAMPER

This bill provides ongoing funding to the Office of Aging and Disability Services program within the Department of Health and Human Services for the operation of personal financial management assistance programs for senior citizens.

Committee Amendment "A" (H-196)

This amendment incorporates a fiscal note.

Senate Amendment "A" (S-318)

This amendment reduces funding to the Department of Health and Human Services to support personal financial management assistance programs for senior citizens.

Enacted Law Summary

Public Law 2015, chapter 332 provides ongoing funding of \$75,000 in each fiscal year to the Office of Aging and

Joint Standing Committee on Health and Human Services

Disability Services program within the Department of Health and Human Services for the operation of personal financial management assistance programs for senior citizens.

Public Law 2015, chapter 332 was enacted as an emergency measure effective July 12, 2015.

LD 1349 An Act To Establish the Office of the Inspector General in the Department of Health and Human Services

Accepted Majority (ONTP) Report

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

This bill creates the Office of the Inspector General within the Department of Health and Human Services to be operated and funded independently of the department. The purpose of the Office of the Inspector General is to oversee the functions of the Department of Health and Human Services with four main duties:

1. Investigate instances of fraud, attempted fraud and commingling or misapplication of department funds;
2. Conduct quality assurance audits and program reviews of department programs, agencies and facilities;
3. Investigate instances of abuse, financial exploitation or death of mentally ill, autistic or intellectually disabled recipients of department assistance or services; and
4. Establish and maintain a process by which an employee, recipient of department assistance or services or a member of the public may report or complain about fraud, attempted fraud, commingling or misapplication of department funds or abuse, neglect, financial exploitation or death of a mentally ill, autistic or intellectually disabled recipient of department assistance or services.

This bill requires the Inspector General to perform its duties through conducting investigations, audits and site visits and issuing findings, reports and recommendations that are reviewed by the Commissioner of Health and Human Services. The bill moves the existing Human Services Fraud Investigation Unit from the jurisdiction of the Department of Health and Human Services to the Office of the Inspector General and directs the Inspector General to refer matters to the Attorney General or a law enforcement agency or enlist the assistance of the State Auditor when appropriate. This bill also requires the Inspector General to submit an annual report to the Governor, the Commissioner of Health and Human Services and the joint standing committees of the Legislature having jurisdiction over health and human services matters and financial affairs summarizing its activities for the prior calendar year. This bill provides for oversight of the Inspector General by the Office of Program Evaluation and Government Accountability on an as-needed basis.

Committee Amendment "A" (H-283)

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

LD 1350 Resolve, To Increase the Reimbursement Rate for Direct-care Workers Serving Adults with Long-term Care Needs

RESOLVE 50

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EVES BURNS	OTP-AM	H-371 S-317 HAMPER