

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
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

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
<http://legislature.maine.gov/legis/opla/>

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

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

LD 1497 An Act To Align the Child and Family Services and Child Protection Act with the Federal Preventing Sex Trafficking and Strengthening Families Act

**PUBLIC 381
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANDERSON D VOLK A	OTP	

This bill amends the Child and Family Services and Child Protection Act to comply with the federal Preventing Sex Trafficking and Strengthening Families Act. The bill requires the Department of Health and Human Services to disclose certain information on missing or abducted children or youth to the National Crime Information Center database of the Federal Bureau of Investigation and to a national information clearinghouse for missing and exploited children and to provide notification of the removal of a child from the custody of a parent or custodian to all parents of a sibling of the child who have legal custody of the sibling. The bill also requires that permanency plans for children who are 14 years of age and older must determine the services needed to assist the children to make the transition from foster care to independent living.

Enacted Law Summary

Public Law 2015, chapter 381 amends the Child and Family Services and Child Protection Act to comply with the federal Preventing Sex Trafficking and Strengthening Families Act. It requires the Department of Health and Human Services to disclose certain information on missing or abducted children or youth to the National Crime Information Center database of the Federal Bureau of Investigation and to a national information clearinghouse for missing and exploited children and to provide notification of the removal of a child from the custody of a parent or custodian to all parents of a sibling of the child who have legal custody of the sibling. It also requires that permanency plans for children who are 14 years of age and older must determine the services needed to assist the children to make the transition from foster care to independent living.

Public Law 2015, chapter 381 was enacted as an emergency measure effective March 1, 2016.

LD 1498 An Act To Clarify Medicaid Ombudsman Services

PUBLIC 511

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VACHON K VOLK A	OTP-AM ONTP	H-620

Current law requires the Department of Health and Human Services to contract for ombudsman services for the Medicaid managed care population as long as nonstate funding is available. This bill retains that provision and establishes the ombudsman program in statute, describes the Medicaid managed care population and specifies the duties of the ombudsman program, which include providing services and outreach for members and eligible members of the Medicaid program and the state children's health insurance program under Title XXI of the Social Security Act.

Committee Amendment "A" (H-620)

This amendment makes the following changes to the bill.

1. It clarifies that the children's health insurance program is also known as Cubcare, CHIP and S-CHIP.
2. It clarifies that the definition of "outreach and education" includes workshops for members, eligible members and health care providers, social service providers and health insurance navigators, brokers and agents and that

Joint Standing Committee on Health and Human Services

screenings for eligibility include but are not limited to prescription assistance programs.

3. It strikes references to managed care, including in the title of the bill.
4. It clarifies that the long-term care ombudsman program established pursuant to the Maine Revised Statutes, Title 22, section 5106, subsection 11-C continues to provide services for those receiving long-term care home-based and community-based or institutional services.
5. It requires the Medicaid ombudsman program to provide annual reports to the joint standing committee of the Legislature having jurisdiction over health and human services matters.
6. It clarifies that the program may only be contracted for with nonstate funding and removes any references to state seed match.

Enacted Law Summary

Public Law 2015, chapter 511 establishes the Medicaid ombudsman program in statute. It establishes the duties of the ombudsman program, including providing services and outreach services and outreach for members and eligible members of the Medicaid program and the state children's health insurance program is also known as Cubcare, CHIP and S-CHIP. It requires the ombudsman program to provide annual reports to the joint standing committee of the Legislature having jurisdiction over health and human services matters. The program, operated by contract, may only be contracted for with nonstate funding.

LD 1522 Resolve, Regarding Legislative Review of the Final Repeal of Chapter 101, MaineCare Benefits Manual, Chapter III, Section 32: Allowances for Waiver Services for Children with Intellectual Disabilities or Pervasive Developmental Disorders, a Major Substantive Rule of the Department of Health and Human Services

**RESOLVE 61
EMERGENCY**

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

This resolve provides for legislative review of the repeal of Chapter 101, MaineCare Benefits Manual, Chapter III, Section 32: Allowances for Waiver Services for Children with Intellectual Disabilities or Pervasive Developmental Disorders, a major substantive rule of the Department of Health and Human Services.

Enacted Law Summary

Resolve 2015, chapter 61 authorizes final adoption of the repeal of Chapter 101, MaineCare Benefits Manual, Chapter III, Section 32: Allowances for Waiver Services for Children with Intellectual Disabilities or Pervasive Developmental Disorders, a major substantive rule of the Department of Health and Human Services.

Resolve 2015, chapter 61 was finally passed as an emergency measure effective March 16, 2016.

LD 1527 An Act To Facilitate MaineCare Assisted Living by Providing a Cost-of-living Adjustment to Private Nonmedical Institutions and Adult Family Care Homes

**Died On
Adjournment**

<u>Sponsor(s)</u> BURNS D POULIOT M	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-402
---	-----------------------------------	------------------------------------