

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
127<sup>TH</sup> 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

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# STATE OF MAINE

127<sup>TH</sup> 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 Second 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.

*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 127<sup>th</sup> 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 1619**

**Resolve, Regarding Home Care Service Rates for Serving Persons with Complex Medical Needs**

**Died Between Houses**

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

This resolve was reported by the committee pursuant to joint order, S.P. 639 and then referred back to the committee for processing in the normal course.

This resolve includes recommendations of the Commission to Study Difficult-to-place Patients. It requires the Department of Health and Human Services' Office of Aging and Disability Services to implement a demonstration project that will provide enhanced rates for home care services, with participation limited to patients with complex medical needs who are enrolled in the Maine "Homeward Bound" program, which is funded by the federal Centers for Medicaid and Medicare Services. The department is directed to submit a report, no later than January 15, 2018, to the joint standing committee of the Legislature having jurisdiction over health and human services matters detailing its findings and any recommendations regarding the provision of enhanced rates for home care services.

The resolve also requires the Department of Health and Human Services' quality assurance review committee to conduct a review of the adequacy of home care services provided to individuals with complex needs under Chapter 101: MaineCare Benefits Manual, Chapters II and III, Section 19, Home and Community Benefits for the Elderly and Adults with Disabilities. The Department of Health and Human Services is directed to submit a report, no later than January 15, 2017, to the joint standing committee of the Legislature having jurisdiction over health and human services matters detailing the quality assurance review committee's findings and any recommendations for legislation regarding the adequacy of home care services provided under Section 19.

**Committee Amendment "A" (S-408)**

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

This amendment was not adopted.

**LD 1620**

**Resolve, Establishing a Stakeholder Group To Examine Methods of Protecting the Elderly and Persons with Disabilities from Financial Exploitation**

**ONTP**

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

This resolve was reported by the committee pursuant to joint order, S.P. 639 and then referred back to the committee for processing in the normal course.

This resolve, which is a recommendation of the Commission To Study Difficult-to-place Patients, directs the financial abuse specialist team in the Department of Health and Human Services' Office of Aging and Disability Services to convene a stakeholder group to review the State's criminal laws, the Adult Protective Services Act in the Maine Revised Statutes, Title 22, chapter 958-A and any other relevant state laws to identify potential statutory changes to enable and support criminal prosecution of crimes against the elderly and persons with disabilities, including the enhancement of penalties for such crimes. The financial abuse specialist team is directed to submit, by January 15, 2017, a report to the joint standing committee of the Legislature having jurisdiction over health and