

MAINE STATE LEGISLATURE

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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

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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 1648 An Act To Amend the Laws Governing the Controlled Substances Prescription Monitoring Program and To Review Limits on the Prescription of Controlled Substances ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ R VACHON K	ONTP	

This bill directs the licensing boards regulating prescribers and dispensers of controlled substances to engage in rulemaking regarding required use of the Controlled Substances Prescription Monitoring Program and to review the possibility of establishing prescribing limits. It requires pharmacists to register to use the program and allows the Department of Health and Human Services to provide prescription monitoring information to and receive prescription monitoring information from a Canadian province.

LD 1650 An Act To Enact the Recommendations of the Study of the Allocations of the Fund for a Healthy Maine Veto Sustained

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

This bill was reported ought to pass by the committee pursuant to Joint Rule 353.

This bill enacts recommendations of the study of the allocations of the Fund for a Healthy Maine conducted pursuant to Resolve 2015, chapter 47. The bill requires the Department of Health and Human Services to submit an annual report by January 1st to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over health and human services matters on the Fund for a Healthy Maine. The report must include annual expenditures in all programs, progress made toward improving the health status of persons in the State using the fund, a description of how funds were targeted to prevention and health-related purposes outlined in statute and information on any audits in the previous year. The requirement for the Department of Administrative and Financial Services to provide an annual report regarding the expenditure of the Fund for a Healthy Maine on prevention and health-related purposes is removed from the statute. The bill also repeals several provisions of law requiring reports by the Department of Health and Human Services that are no longer necessary.

LD 1665 Resolve, Regarding Legislative Review of Chapter 120: Release of Data to the Public, a Late-filed Major Substantive Rule of the Maine Health Data Organization RESOLVE 79 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-618

This resolve provides for legislative review of Chapter 120: Release of Data to the Public, a major substantive rule of the Maine Health Data Organization that was filed outside the legislative rule acceptance period.

Committee Amendment "A" (H-618)

This amendment provides that final adoption of Chapter 120: Release of Data to the Public, a provisionally adopted major substantive rule of Maine Health Data Organization, is authorized contingent upon the Maine Health Data Organization's making minor clarifying language changes to the proposed rule.

Joint Standing Committee on Health and Human Services

Enacted Law Summary

Resolve 2015, chapter 79 authorizes final adoption of Chapter 120: Release of Data to the Public, a provisionally adopted major substantive rule of Maine Health Data Organization, contingent upon the Maine Health Data Organization's making minor clarifying language changes to the proposed rule.

Resolve 2015, chapter 79 was finally passed as an emergency measure effective April 16, 2016.

LD 1682 An Act To Specify That Certain Rules Regarding Services to Persons with Intellectual Disabilities or Autism Are Major Substantive Rules Veto Sustained

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

This bill was reported by the committee pursuant to the Maine Revised Statutes, Title 5, section 11115 in response to a petition filed relating to proposed changes to Chapter 101: MaineCare Benefits Manual, Chapter II, Section 21. The bill designates as major substantive rules any rules that are adopted by the Department of Health and Human Services on or after August 1, 2016 regarding community-based services and reimbursement for providers of community-based services for persons with intellectual disabilities or autism.

LD 1696 Resolve, To Establish a Moratorium on Rate Changes Related to Rule Chapter 101: MaineCare Benefits Manual, Sections 13, 17, 28 and 65 RESOLVE 88

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

This resolve was reported ought to pass by a majority of the committee pursuant to joint order, H.P. 1156.

The resolve requires the Department of Health and Human Services to present a completed rate study regarding reimbursement rates under Chapter 101: MaineCare Benefits Manual, Sections 13, 17, 28 and 65 to the joint standing committee of the Legislature having jurisdiction over health and human services matters on January 2, 2017. The Department of Health and Human Services may not begin any rulemaking connected with rate changes under those sections until at least 60 days after the completed rate study has been presented to the committee.

Enacted Law Summary

Resolve 2015, chapter 88 requires the Department of Health and Human Services to present a completed rate study regarding reimbursement rates under Chapter 101: MaineCare Benefits Manual, Sections 13, 17, 28 and 65 to the joint standing committee of the Legislature having jurisdiction over health and human services matters on January 2, 2017. The Department of Health and Human Services may not begin any rulemaking connected with rate changes under those sections until at least 60 days after the completed rate study has been presented to the committee.

**LD 1698 Resolve, Related To Legislative Review of a Change to the MaineCare Benefits Manual, Chapters II and III, Section 17 RESOLVE 82
EMERGENCY**

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