

# 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

**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/>

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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*

### 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>

## *Joint Standing Committee on Health and Human Services*

This resolve, which is an emergency, was reported ought to pass by the committee pursuant to Maine Revised Statutes, Title 5, section 11115. This resolve:

1. Requires the Department of Health and Human Services to extend eligibility for community support services to an individual who received services under Chapter 101: MaineCare Benefits Manual, Chapter II, Section 17 before Section 17 was updated on March 22, 2016 if that individual is found to no longer meet the eligibility requirements under the updated Section 17 until that individual is able to access appropriate services under any other section of the MaineCare Benefits Manual. This extension of eligibility may not exceed a period of 120 days after that individual's current authorization period has expired;
2. Establishes that an individual who was receiving bridging rental assistance program housing subsidy vouchers due to Section 17 eligibility immediately before Section 17 was updated on March 22, 2016 continues to remain eligible for the housing subsidy vouchers, unless the individual becomes ineligible for the housing subsidy vouchers for a reason unrelated to Section 17 eligibility;
3. Until June 30, 2017, requires the Office of MaineCare Services within the Department of Health and Human Services to authorize 90-day extensions of community support services under Section 17 for an individual who received Section 17 services before Section 17 was updated on March 22, 2016 if that individual is able to reasonably demonstrate to the department that that individual has been unable to access appropriate services under any other section of the MaineCare Benefits Manual; and
4. Provides the department with the authority to adopt emergency rules as necessary for implementation of this resolve.

### **Enacted Law Summary**

Resolve 2015, chapter 82:

1. Requires the Department of Health and Human Services to extend eligibility for community support services to an individual who received services under Chapter 101: MaineCare Benefits Manual, Chapter II, Section 17 before Section 17 was updated on March 22, 2016 if that individual is found to no longer meet the eligibility requirements under the updated Section 17 until that individual is able to access appropriate services under any other section of the MaineCare Benefits Manual. This extension of eligibility may not exceed a period of 120 days after that individual's current authorization period has expired;
2. Establishes that an individual who was receiving bridging rental assistance program housing subsidy vouchers due to Section 17 eligibility immediately before Section 17 was updated on March 22, 2016 continues to remain eligible for the housing subsidy vouchers, unless the individual becomes ineligible for the housing subsidy vouchers for a reason unrelated to Section 17 eligibility;
3. Until June 30, 2017, requires the Office of MaineCare Services within the Department of Health and Human Services to authorize 90-day extensions of community support services under Section 17 for an individual who received Section 17 services before Section 17 was updated on March 22, 2016 if that individual is able to reasonably demonstrate to the department that that individual has been unable to access appropriate services under any other section of the MaineCare Benefits Manual; and
4. Provides the department with the authority to adopt emergency rules as necessary for implementation of this resolve.

Resolve 2015, chapter 82 was finally passed as an emergency measure effective April 26, 2016.