

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
128<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON HEALTH AND  
HUMAN SERVICES**

August 2017

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\*Committee member for a portion of the session

# STATE OF MAINE

128<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 First Regular Session of the 128<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 FINAL 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 128<sup>th</sup> Legislature is Wednesday, November 1, 2017. 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*

County Economic Development Council, which must act as the fiscal agent for the project; Mayo Regional Hospital; and Helping Hands with Heart. The amendment includes an appropriation of \$350,000 over the 2018-2019 fiscal biennium. The Department of Health and Human Services must convey the contracted evaluation and replicability report of the project to the joint standing committee of the Legislature having jurisdiction over health and human services matters no later than November 30, 2018, and the committee may report out legislation related to the report to the First Regular Session of the 129th Legislature.

This amendment was not adopted.

**LD 153      An Act Regarding Transportation of Methadone Patients      ONTP**

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

This bill prohibits the operating of a motor vehicle by a person who is receiving methadone for treatment of opioid dependency or for use as a pain medication. The bill requires the Secretary of State to amend its Chapter 3 rules, "Physical, Emotional and Mental Competence to Operate a Motor Vehicle," to require a health care practitioner or facility that is treating an individual with methadone to report to the Department of the Secretary of State, Bureau of Motor Vehicles. It provides that these rules are routine technical rules.

**LD 161      An Act To Remove the Treasurer of State from the Maine Vaccine Board      PUBLIC 7**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERRY A CHIPMAN B	OTP	

This bill removes the Treasurer of State as a member of the Maine Vaccine Board.

### **Enacted Law Summary**

Public Law 2017, chapter 7 removes the Treasurer of State as a member of the Maine Vaccine Board.

**LD 162      An Act To Improve Care Provided to Forensic Patients      Veto Sustained**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GATTINE D KATZ R	OTP-AM ONTP	H-482

This bill is a concept draft pursuant to Joint Rule 208.

This emergency bill proposes to require the Department of Health and Human Services to implement a plan to improve the care of forensic patients at Riverview Psychiatric Center and Dorothea Dix Psychiatric Center by developing additional resources to ensure patients are receiving appropriate care in an appropriate treatment setting.

### **Committee Amendment "A" (H-482)**

This amendment is the majority report of the committee and replaces the bill, which is a concept draft. The amendment establishes a residential forensic step-down facility in Augusta in the Capitol Area. It defines "forensic

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

step-down facility." It authorizes the Commissioner of Health and Human Services to maintain and operate the 21-bed forensic step-down facility. It provides that the facility must be licensed and that the Department of Health and Human Services must adopt rules that apply specifically to the licensure of a forensic step-down facility and that include the admission and discharge standards of the facility, the staffing model, security, patients' access to treatment and patient rights protections. It requires that the department provisionally adopt rules to implement the licensure of the forensic step-down facility no later than January 12, 2018. It creates an advisory committee to participate in and guide the planning process for the facility and to report to the Joint Standing Committee on Health and Human Services. It authorizes the committee to report out a bill based on the advisory committee's report. It requires the department to report to the committee on the progress of creating the facility and developing rules. It provides that the transfer of any forensic patients into the forensic step-down facility must be approved by a court of appropriate jurisdiction. It includes the forensic step-down facility in Title 34-B, chapter 1 as a "state institution." This amendment incorporates a fiscal note.

**LD 166 An Act To Increase Reimbursement for Child Care Services**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY N HANDY J		

This bill repeals unallocated language in Public Law 2011, chapter 380, Part UU that set the child care subsidy payment rates of the Department of Health and Human Services at the 50th percentile of local market rates. This bill increases the payment rates to the 75th percentile of local market rates for payments the department makes on behalf of recipients of benefits under the child care subsidy program, recipients of benefits under TANF and recipients of benefits under ASPIRE-TANF.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

**LD 183 An Act Requiring the Use of the Electronic Death Registration System**

**PUBLIC 37**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VACHON K CUSHING A	OTP-AM	H-20

This bill requires that, except for certificates filed by family members and domestic partners of the deceased, a certificate of death be filed using the electronic death registration system maintained by the State Registrar of Vital Statistics.

**Committee Amendment "A" (H-20)**

This amendment clarifies that a person authorized to complete or file a certificate of death, except for a certificate filed by a family member or domestic partner of the deceased, must use the electronic death registration system maintained by the State Registrar of Vital Statistics. This amendment also adds an effective date.

**Enacted Law Summary**

Public Law 2017, chapter 37 requires a person authorized to complete or file a certificate of death, except for a certificate filed by a family member or domestic partner of the deceased, to use the electronic death registration system maintained by the State Registrar of Vital Statistics.