

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH 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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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 128th 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 128th 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

Committee Amendment "A" (H-110)

This amendment is the minority report of the committee. It limits the lysosomal storage disorders addressed in the bill to Krabbe disease and adds an appropriations and allocations section to cover the additional costs of screening.

This amendment was not adopted.

LD 266 An Act Regarding Funding for Children's Behavioral Health Day Treatment

**Accepted Majority
(ONTP) Report**

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

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

This bill proposes to examine rates paid by the Department of Health and Human Services, Department of Education and school administrative units for children's behavioral health day treatment and the survey and rate review process used to set these rates.

Committee Amendment "A" (H-259)

This amendment, which is the minority report of the committee, requires that the Department of Health and Human Services reimburse the Collaborative School in New Gloucester at reimbursement rates no less than the rates in place and being used for reimbursement for services as of July 1, 2016 under rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 65, Behavioral Health Services unless the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services does not permit reimbursement at these rates. Any reductions in reimbursement that result for these services as a result of the Burns and Associates April 24, 2017 review of rates for behavioral health and targeted case management services may not apply to services at the Collaborative School.

This amendment was not adopted.

Public Law 2017, chapter 284, the biennial budget, included a moratorium on any changes to reimbursement rates reviewed by Burns & Associates, Inc. until June 30, 2019, unless legislative approval is received.

LD 267 Resolve, To Increase Certain Chiropractic Reimbursement Rates under the MaineCare Program

CARRIED OVER

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|------------------------|-------------------------|---------------------------|
| MARTIN J SAVIELLO T | OTP-AM | H-21 |

This resolve directs the Department of Health and Human Services to amend its rules in Chapter 101: MaineCare Benefits Manual, Chapter III, Section 15 to increase reimbursement rates for chiropractic services for manipulative treatments under procedure codes 98940, 98941 and 98942 to no less than \$30 per treatment. It provides that the rules are routine technical rules and must be amended no later than January 1, 2018.

Committee Amendment "A" (H-21)

This amendment replaces the resolve. It requires the Department of Health and Human Services, by January 1, 2018, to amend its rules in Chapter 101: MaineCare Benefits Manual, Chapter III, Section 15 to increase

Joint Standing Committee on Health and Human Services

reimbursement rates for chiropractic services for manipulative treatments under procedure codes 98940, 98941 and 98942 to no less than 70% of the federal Medicare reimbursement rate for these services as long as the rate is no lower than the rate reimbursed as of January 1, 2017. If the department conducts a rate study of chiropractic services for manipulative treatments, the department may adopt new rates. It provides that the rules adopted are routine technical rules. The amendment adds an appropriations and allocations section.

This bill was reported out of committee and then carried over to the next special or regular session of the 128th Legislature on the Special Appropriations Table by joint order, S.P. 601.

LD 268 An Act To Restrict Cash Access for Electronic Benefit Transfer Cards Died Between Houses

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

This bill provides that benefits received through the electronic benefits transfer system may be redeemed only through purchase by electronic transfer and may not be redeemed for cash. This bill requires the Department of Health and Human Services to establish a rule to create a system that would limit purchases at the point of sale to those goods and services allowed by law.

Committee Amendment "A" (H-479)

This amendment is the minority report of the committee and replaces the bill. It requires, beginning January 1, 2018, a recipient of Temporary Assistance for Needy Families, or TANF, benefits to retain a receipt for every transaction the recipient makes using TANF benefits under the electronic benefits transfer system. It authorizes the Department of Health and Human Services to audit up to 2% of TANF recipients for transactions occurring over periods of up to six months. The amendment provides that if the department determines that a transaction of a recipient was improper under state or federal law, the department is authorized to deduct the amount of the transaction from a recipient's benefits for the following month. The amendment adds an appropriations and allocations section.

This amendment was not adopted.

LD 269 An Act To Provide Training for Caregivers of Children with Autism and Related Disorders ONTP

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|------------------------|-------------------------|---------------------------|
| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
| STANLEY S VITELLI E | ONTP | |

This bill requires the Department of Health and Human Services to provide a semiannual training course regionally throughout the State for parents, family members and guardians of children with autism spectrum disorder and community providers of services for children with autism spectrum disorder.

LD 270 An Act To Consolidate Administration of Kinship Care and Relative Placement Issues within the Department of Health and Human Services CARRIED OVER

| | | |
|-------------------|-------------------------|---------------------------|
| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
| PICCHIOTTI J | | |