

# 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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# 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***

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**

Sponsor(s)

HANLEY J

Committee Report

ONTP  
OTP-AM

Amendments Adopted

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**

Sponsor(s)

STANLEY S  
VITELLI E

Committee Report

ONTP

Amendments Adopted

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**

Sponsor(s)

PICCHIOTTI J

Committee Report

Amendments Adopted

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

This bill requires the Commissioner of Health and Human Services to appoint one person to administer all issues related to the placement of a child with a relative.

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

### **LD 272      An Act Requiring Meningococcal Meningitis Vaccinations for Teenagers      CARRIED OVER**

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

This bill requires the Department of Health and Human Services and the Department of Education to adopt rules requiring that students 11 years of age or older and under 20 years of age receive meningococcal meningitis immunizations.

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

### **LD 273      An Act To Add an Exception to Prescription Monitoring Program Requirements      PUBLIC 122**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HYMANSON P BREEN C	OTP-AM	H-203

This bill expands the exception to the requirement to check prescription monitoring information when a health care professional orders or administers the medication to a person in an emergency room, an inpatient hospital, a long-term care facility or a residential care facility to include when a health care professional orders, prescribes or administers medication to a person suffering from pain associated with cancer treatment or end-of-life, palliative or hospice care.

#### **Committee Amendment "A" (H-203)**

This amendment limits the exceptions in the bill to the requirement to check the prescription monitoring program to end-of-life and hospice care and removes the references to cancer treatment and palliative care.

#### **Enacted Law Summary**

Public Law 2017, chapter 122 provides an exception to the requirement to check prescription monitoring information when a health care professional orders, prescribes or administers medication to a person suffering from pain associated with end-of-life or hospice care.

### **LD 274      An Act To Implement the Recommendations of the Working Group To Study Background Checks for Child Care Facilities and Providers      CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCREIGHT J HILL D		

This bill implements the recommendations of the Working Group To Study Background Checks for Child Care Facilities and Providers. The bill clarifies requirements for criminal background checks for child care providers and child care staff members.