

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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128TH 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 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

LD 336 An Act To Amend the Requirements of the Temporary Assistance for Needy Families Program

PUBLIC 256

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DENNO D VOLK A	OTP-AM	H-298

This bill changes the laws governing public assistance by providing Temporary Assistance for Needy Families benefits and alternative aid benefits to two-parent families based on the same eligibility requirements as apply to single-parent families and increasing from \$200 to \$300 the special housing allowance for families receiving TANF benefits.

Committee Amendment "A" (H-298)

This amendment adds a new section to the bill to remove certain good cause provisions from the laws governing the ASPIRE-TANF program and instead transfer to the Department of Health and Human Services the responsibility to determine other good cause. The amendment also adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2017, chapter 256 changes the laws governing Temporary Assistance for Needy Families.

1. It establishes the same eligibility requirements for TANF and alternative aid benefits to two-parent families that apply to single-parent families.
2. It increases the special housing allowance for families receiving TANF benefits from \$200 to \$300.
3. It removes certain good cause provisions from the laws governing the ASPIRE-TANF program and instead transfers to the Department of Health and Human Services the responsibility to determine other good cause.

LD 347 An Act To Support Death with Dignity

Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ R WOOD S	ONTP OTP-AM	

This bill enacts a process for patient-directed care at the end of life for Maine residents who are adults who are terminally ill and who have been determined to have a limited life expectancy. The bill provides that such a patient has a right to information and includes requirements for patient and physician action and documentation in the patient's medical records of the steps taken. The bill authorizes a physician to prescribe a medication that the patient may self-administer for the purpose of hastening the patient's death. The bill provides protections for the physician, the patient's health care facility and health care providers. The bill protects the patient's life insurance and the health care providers' medical professional liability insurance. The bill protects the patient's right to palliative care. The bill requires rulemaking by the Department of Health and Human Services to provide for safe disposal of medications that are prescribed for end-of-life care and that are not used by the patient. The bill specifically states that nothing in the provisions of the bill may be construed to authorize a physician or other person to end a patient's life by lethal injection, mercy killing or active euthanasia. The bill specifically states that the provisions of the bill may not be construed to conflict with Section 1553 of the federal Patient Protection and Affordable Care Act, as amended by the federal Health Care and Education Reconciliation Act of 2010.

Joint Standing Committee on Health and Human Services

Committee Amendment "A" (S-90)

This amendment is the minority report of the committee. It adds to the bill requirements that a physician must counsel a patient who is seeking medication in order to hasten the end of life regarding the importance of having another person present when the patient takes the medication, the importance of storing the medication safely and the possibility that the patient may choose not to take the medication. It also requires the physician to discuss with the patient, outside the presence of others, whether the patient feels unduly influenced.

This amendment was not adopted.

LD 358 An Act To Close the Gap in Children's Health Care Coverage in Maine Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POULIOT M KATZ R	OTP-AM ONTP	H-260

This bill allows children of state employees to be eligible for the State Children's Health Insurance Program as long as they meet the other eligibility requirements.

Committee Amendment "A" (H-260)

This amendment provides funding to the Department of Health and Human Services to reflect the increased cost to the State Children's Health Insurance Program and deappropriates funds from the state employee health plan.

The substance of this bill is included in Public Law 2017, chapter 284.

LD 383 An Act To Increase Access to Child Care CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLETT R HAMANN S		

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

This bill proposes to increase access to child care.

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

LD 384 An Act To Strengthen Maine Children's Mental Health CARRIED OVER

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

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

This bill proposes to require MaineCare to cover mental health treatment for a child that uses evidence-based