

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

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

**STAFF:**

ANNA BROOME, LEGISLATIVE ANALYST  
ERIN LUNDBERG, 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/>

**MEMBERS:**

SEN. ERIC L. BRAKEY, CHAIR  
SEN. JAMES M. HAMPER  
SEN. BENJAMIN M. CHIPMAN

REP. PATRICIA HYMANSON, CHAIR  
REP. ANNE C. PERRY  
REP. SCOTT M. HAMANN\*  
REP. JOYCE MCCREIGHT\*  
REP. COLLEEN M. MADIGAN  
REP. DALE J. DENNO  
REP. JENNIFER ELLEN PARKER  
REP. DEBORAH J. SANDERSON  
REP. RICHARD S. MALABY  
REP. FRANCES M. HEAD  
REP. PAUL B. CHACE

\*Committee member for a portion of the session

# STATE OF MAINE

128<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



## 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*

facility would need Department of Health and Human Services approval for new construction, acquisitions and renovations to \$500,000 rather than \$2,000,000 as in the bill. It also clarifies that residential facilities may be reimbursed for costs to comply with changes in local ordinances in addition to federal or state laws. The amendment also adds an appropriations and allocations section.

### **Senate Amendment "A" To Committee Amendment "A" (S-321)**

This amendment removes from the bill and Committee Amendment "A" the provisions regarding nursing facility medical director reimbursement. This amendment also removes the appropriations and allocations section added by Committee Amendment "A."

### **Enacted Law Summary**

Public Law 2017, chapter 304 requires the Department of Health and Human Services to permit capital expenditures by residential care facilities for new construction, acquisitions and renovations that are less than \$500,000 and to provide reimbursement without prior approval. It also requires the department to provide an extraordinary circumstance allowance in permitted reimbursement to residential care facilities. It provides that costs incurred by a residential care facility to comply with federal or state laws, rules or local ordinances are considered reasonable and necessary costs.

### **LD 518      An Act To Amend the Laws Governing the Burial or Cremation of Certain Persons**

**PUBLIC 62**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAKEY E	OTP-AM	S-45

This bill adds spouses and domestic partners to the list of relatives who are potentially responsible for the burial or cremation costs of a person who was eligible to receive municipal general assistance at the time of that person's death. The bill also strikes the provision of law that restricts potentially responsible relatives to persons who live or own property in Maine.

### **Committee Amendment "A" (S-45)**

This amendment is the majority report of the committee. It specifies that a domestic partner must be a registered domestic partner to be responsible for the burial or cremation costs of a person who was eligible to receive municipal general assistance at the time of that person's death.

### **Enacted Law Summary**

Public Law 2017, chapter 62 adds spouses and registered domestic partners to the list of relatives who are potentially responsible for the burial or cremation costs of a person who was eligible to receive municipal general assistance at the time of that person's death. It also strikes the provision of law that restricts potentially responsible relatives to persons who live or own property in Maine.

### **LD 530      An Act To Ensure Medical Assessments for Youth in Foster Care**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HAMANN S GRATWICK G	ONTP	

This bill requires that, when a child is ordered into the custody of the Department of Health and Human Services, the department must provide to the foster home in which the child is placed an overview of the child's medical condition and the name and contact information of the child's health care provider at the time of placement. The bill

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

also requires the department to ensure that a child receives an appointment for a medical examination within three working days of when the department's custody commences, instead of within 10 days as in current law, and requires that the department inform the foster parents of the appointment.

**LD 531      An Act Regarding the Drug Crisis and Ensuring Access to HIV Testing      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FECTEAU R GRATWICK G	ONTP	

This bill requires a person 13 years of age or older who is receiving medical services in a hospital or from a primary care provider to be offered an HIV test unless that person is being treated for a life-threatening emergency, has previously been offered or been the subject of an HIV test or lacks the capacity to provide informed consent to an HIV test. This requirement is repealed January 1, 2030.

**LD 550      An Act Requiring Communication of Mammographic Breast Density Information to Patients      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROOKS H WHITTEMORE R	ONTP	

This bill requires mammography reports and other information provided to patients describing the results of a mammography to include information regarding breast density.

**LD 551      An Act To Expand the Authority of Naturopathic Doctors To Prescribe Certain Medications      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CASAS O	ONTP	

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

This bill proposes to expand the authority of naturopathic doctors to prescribe certain naturally occurring medications.

**LD 560      An Act To Amend the Laws Governing the Department of Health and Human Services      ONTP**

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

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

This bill proposes to amend the laws governing the Department of Health and Human Services.