

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH LEGISLATURE
FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



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

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

October 2018

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STATE OF MAINE
128TH LEGISLATURE
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**LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS**

This *Legislative Digest of Bill Summaries and Enacted Laws* contain summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Special, Second Regular and Second Special Sessions 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 dates for non-emergency legislation enacted in the First Special, Second Regular or Second Special Sessions of the 128th Legislature are: Monday, February 5, 2018; Wednesday, August 1, 2018; and Thursday, December 13, 2018, respectively. 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 562 An Act Concerning the Department of Health and Human Services

**Leave to Withdraw
Pursuant to Joint
Rule**

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

This bill was carried over from the First Regular Session of the 128th Legislature to the Second Regular Session.

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

This bill proposes to enact or amend laws or provide for the adoption or amendment of rules concerning the Department of Health and Human Services.

LD 565 An Act Regarding the Prescribing and Dispensing of Naloxone Hydrochloride by Pharmacists

PUBLIC 364

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHIPMAN B	OTP-AM	S-372

This bill was carried over from the First Regular Session of the 128th Legislature to the Second Regular Session.

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

This bill proposes to address issues related to the opiate addiction crisis in the State.

Committee Amendment "A" (S-372)

This amendment replaces the bill. It repeals the provisions of Public Law 2017, chapter 249 that prevent pharmacists from prescribing and dispensing naloxone hydrochloride after July 1, 2019, to an individual at risk of an overdose or to a family member or friend of an individual at risk of an overdose.

Enacted Law Summary

Public Law 2017, chapter 364 allows a pharmacist to prescribe and dispense naloxone hydrochloride to an individual at risk of an overdose or to a family member or friend of an individual at risk of an overdose.

The substance of Public Law 2017, chapter 364 was repealed and replaced by Public Law 2017, chapter 417 (LD 1892), which was enacted as an emergency effective May 2, 2018 before Public Law 2017, chapter 364 became effective.

LD 566 An Act To Improve Access to High-quality Child Care by Increasing Child Care Rates

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ R POULIOT M	ONTP	

Joint Standing Committee on Health and Human Services

This bill was carried over from the First Regular Session of the 128th Legislature to the Second Regular Session.

This bill sets the reimbursement rates for child care services under the federal Child Care and Development Block Grant program and the Additional Support for People in Retraining and Employment, or ASPIRE, program at the federally recommended rate of the 75th percentile of local market rates. It also allocates federal funding for the increase to the block grant and ASPIRE programs. (See LD 166.)

LD 605 An Act To Support Evidence-based Treatment for Opioid Use Disorder ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VACHON K WOODSOME D	ONTP	

This bill was carried over from the First Regular Session of the 128th Legislature to the Second Regular Session.

This bill provides funding for primary care patient-centered medical homes and behavioral health providers that provide evidence-based, integrated medication-assisted treatment to uninsured patients with opioid use disorder to cover costs of intensive, intermediate and long-term treatment.

The substance of this bill was incorporated into LD 1430. The substance of LD 1430 was incorporated into Public Law 2017, chapter 460.

LD 643 Resolve, Directing the Department of Health and Human Services To Increase Reimbursement Rates for Home-based and Community-based Services Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ESPLING E	OTP-AM	H-176

This resolve was reported out of committee in the First Regular Session of the 128th Legislature and then carried over to the Second Regular Session on the Special Appropriations Table. This resolve was again carried over, still on the Special Appropriations Table, from the Second Regular Session to the next special session by joint order S.P. 748.

This resolve directs the Department of Health and Human Services to increase reimbursement rates for home-based care services consistent with the recommendations made by Burns & Associates, Inc. in its report "Rate Review for Personal Care and Related Services: Final Rate Models" dated February 1, 2016. The first half of this increase was ratified by the 127th Legislature through Public Law 2015, chapter 267.

Committee Amendment "A" (H-176)

This amendment clarifies that all home-based and community-based services that were included in the Burns & Associates, Inc. rate review are included in the resolve and that the reimbursement rates are to be increased to the levels recommended in the rate study. The amendment ensures that a recipient of services may not experience a reduction in hours solely as a result of increased reimbursement. The amendment also adds an appropriations and allocations section.

The substance of this resolve was incorporated into Public Law 2017, chapter 459.