

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 606 **An Act To Ensure Access to All Prescription Drugs Containing Cannabidiol Approved by the Federal Food and Drug Administration** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
AUSTIN S	ONTP	

This bill states that a prescription medication containing cannabidiol that is approved by federal law or rule must be available in this State within 30 days of approval or publication in the Federal Register.

LD 607 **An Act To Enhance Maine's Coordinated Response to Mental Health Crises** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TALBOT ROSS R DION M	ONTP	

This bill requires the Department of Health and Human Services to provide assistance to crisis intervention teams and agencies that provide mental health crisis services and to law enforcement agencies to enable them to coordinate mental health crisis services. The bill sets July 1, 2018, as the date by which a crisis intervention team or agency must enter into and sign a memorandum of understanding with each law enforcement agency that provides law enforcement services in the area of the State served by the crisis intervention team or agency. The bill requires the memorandum of understanding to be effective for three years and to be renewed every three years. The memorandum of understanding must include descriptions of the following: the internal processes the law enforcement agency uses to identify a person in need of mental health crisis services; the protocol the law enforcement agency uses to share a contact report with a crisis intervention team or agency; the process the crisis intervention team or agency uses to receive the report; the protocol the crisis intervention team or agency uses to communicate with a person in need of mental health services or the guardian or family members of that person; and the procedures to be used to convene on a quarterly basis multidisciplinary team meetings to review experiences and discuss opportunities for improvement.

LD 629 **An Act To Improve Rehabilitation Services for Persons with Mental Illness in Maine** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FREDETTE K	ONTP	

This bill makes occupational therapy services for persons with mental illness eligible for reimbursement under the MaineCare program.

LD 634 **An Act Regarding the Drug Epidemic in Maine** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ESPLING E JACKSON T	ONTP	

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

Joint Standing Committee on Health and Human Services

This bill proposes to provide solutions to combat addiction to heroin, opioids and other illegal drugs through enforcement, prevention and treatment.

LD 643 *Resolve, Directing the Department of Health and Human Services To Increase Reimbursement Rates for Home-based and Community-based Services* CARRIED OVER

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

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.

Public Law 2017, chapter 284, the biennial budget, included funding to increase reimbursement rates for services included in the Burns & Associates, Inc. rate review. It also included language preventing any recipient from resulting in a reduction in hours solely as a result of increased reimbursement.

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 652 *An Act To Provide Drug Price Relief* ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARPENTER M	ONTP	

This bill requires that the State and state agencies pay a price for prescription drugs that is the same as or lower than the lowest price paid by the United States Department of Veterans Affairs.

LD 655 *An Act To Lower the Price MaineCare Pays for Prescription Drugs* ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARPENTER M MELARAGNO G	ONTP	

This bill requires, unless prohibited by federal law, the Commissioner of Health and Human Services to negotiate the lowest purchase price for all prescription drugs for programs under MaineCare.