

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

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/>

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*Committee member for a portion of the session

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* 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 766 Resolve, To Require the Department of Health and Human Services To Recalculate the MaineCare Reimbursement Rates for Services for Persons with Disabilities **Died On Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FARNSWORTH R	OTP-AM ONTP	H-247 H-357 FARNSWORTH R

This resolve directs the Department of Health and Human Services no later than June 1, 2017, to amend its rules in Chapter 101: MaineCare Benefits Manual, Chapter III, Sections 13, 17, 21, 28, 29, 65 and 97 to increase reimbursement rates to reflect the increase in minimum wage pursuant to Initiated Bill 2015, chapter 2.

Committee Amendment "A" (H-247)

This amendment, which is the majority report of the committee, adds an appropriations and allocations section.

House Amendment "A" To Committee Amendment "A" (H-357)

This amendment strikes the emergency preamble and emergency clause. This amendment replaces the appropriations and allocations section to remove funding in fiscal year 2016-17.

LD 804 An Act To Establish Long-term Memory Care Facilities and To Provide Adequate Staffing and Reimbursement **ONTP**

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

This bill requires the Department of Health and Human Services to provide long-term care services in memory care facilities to persons who qualify under the Maine Revised Statutes, Title 22, section 3174-G and require assistance with activities of daily living because of cognitive impairments by January 1, 2018, in accordance with standards established by the department through routine technical rulemaking. The rules must provide that memory care facilities that provide assistance with activities of daily living to persons with memory impairments are staffed at the following patient-to-staff ratios: on the day shift a ratio of 6 to 1; on the evening shift a ratio of 12 to 1; and on the night shift a ratio of 18 to 1. The rules must provide for rates of reimbursement for facilities that provide assistance with activities of daily living to persons with memory impairments at a level that is 50% above the rates of reimbursement provided for the highest level of private nonmedical institutions by MaineCare.

LD 808 An Act To Restore Community Support Services for Adults with Mental Illness **Veto Sustained**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BELLOWS S GATTINE D	OTP-AM ONTP	S-241

This bill restores access to services for persons with mental illness under Chapter 101: MaineCare Benefits Manual, Chapter II, Section 17 to those persons who were eligible for those services before the Department of Health and Human Services adopted new eligibility rules in 2016.

Committee Amendment "A" (S-241)

Joint Standing Committee on Health and Human Services

This amendment adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-270)

This amendment directs the Department of Health and Human Services to amend its rules in Chapter 101: MaineCare Benefits Manual, Chapter II, Section 17, Community Support Services to restore access to services to persons who have a diagnosis of bipolar disorder or post-traumatic stress disorder. The amendment removes the need for the appropriations and allocations section by reducing some of the eligibility criteria and requiring the department to fund the remaining added services within existing resources.

This amendment was not adopted.

LD 812 Resolve, To Establish a Pilot Project To Save Lives and Support People with Substance Use Disorder in Washington County CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAKER J TUELL W		

This resolve establishes a pilot project in Washington County to provide treatment and recovery services for substance use disorders. It provides \$1,600,000 in funding over the 2018-2019 fiscal biennium. The Department of Health and Human Services is required to report on the planning and implementation of the pilot project to the Joint Standing Committee on Health and Human Services no later than November 30, 2018, and the joint standing committee of the Legislature having jurisdiction over health and human services matters may report out legislation to the First Regular Session of the 129th Legislature.

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

LD 842 Resolve, To Support Home Health Services CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JORGENSEN E LIBBY N		

This resolve directs the Department of Health and Human Services to increase the rates for home health services under the MaineCare Benefits Manual, Chapter II, Section 40 by 30%.

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

LD 886 An Act To Require That Maine Welfare Benefits Be Used in Maine Died Between Houses

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

This bill prohibits a recipient of benefits under the Temporary Assistance for Needy Families, or TANF, program from using an electronic benefits transfer system card to access those benefits outside of Maine.

Committee Amendment "A" (S-247)