

# MAINE STATE LEGISLATURE

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**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

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# STATE OF MAINE

128<sup>TH</sup> 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 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***

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	ONT 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)**

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

This amendment is the minority report of the committee. It 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 unless the recipient is in New Hampshire or fleeing a domestic violence situation.

This amendment was not adopted.

### **LD 889      An Act To Reduce Youth Cancer Risk**

**Veto Sustained**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK A DEVIN M	OTP ONTP	

This bill prohibits tanning facilities from allowing individuals who have not attained 18 years of age to use tanning devices.

### **LD 898      An Act To Address Mandatory Overtime for Hospital Professionals**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASON G		

This bill prohibits a hospital from requiring employees that provide direct patient care to work more than 12 hours in any 24-hour period. This bill provides that this requirement does not apply to physicians or in cases of a declared emergency. The bill allows an aggrieved employee to file a complaint with the division of licensing and regulatory services within the Department of Health and Human Services, which must notify the hospital involved. The bill requires hospitals to report all instances of mandatory overtime work to the division, which must adopt rules regarding the manner and schedule for this reporting.

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

### **LD 902      Resolve, To Increase Access to Evidence-based Psychosocial Treatment for Children in the MaineCare Program**

**CARRIED OVER**

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

This resolve requires the Department of Health and Human Services to increase the MaineCare reimbursement rates for evidence-based outpatient psychosocial treatments for children to a rate that covers all costs involved with providing the service, including additional training, clears waiting lists and attracts providers to all areas of the State, including underserved rural areas. The resolve also requires the department to cover two additional evidence-based services known as trauma-focused cognitive behavioral therapy and parent management training programs through a request for proposals, using General Fund funds for training and hiring staff. The resolve requires the department and the contracted providers are required to develop a reimbursement rate for providing the service that is sufficient to allow the continued financial health of the service providers providing these therapies.

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