

# 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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\*Committee member for a portion of the session

# 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*

**LD 952**

**An Act To Ensure Access to Opiate Addiction Treatment in Maine**

**PUBLIC 305**

| <u>Sponsor(s)</u>       | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------------|-------------------------|---------------------------|
| WOODSOME D<br>POULIOT M | OTP-AM                  | S-106<br>S-331 HAMPER J   |

This bill directs the Department of Health and Human Services to amend its rules to increase the MaineCare reimbursement rate for outpatient opioid treatment to \$80 per week and to permit outpatient opioid treatment providers to be open six days per week as provided under federal law. It directs the department to contract with a third-party consultant to conduct a rate study regarding reimbursement to outpatient opioid treatment providers. It authorizes opioid treatment programs under the Maine Pharmacy Act to operate without maintaining a pharmacist in charge but requires opioid treatment programs to enter into a written agreement with a licensed pharmacist to serve as a consultant to the opioid treatment program. It authorizes registered professional nurses, certified nurse practitioners and licensed practical nurses to dispense opioid medication for substance abuse treatment purposes to patients in an opioid treatment program.

**Committee Amendment "A" (S-106)**

This amendment removes the section from the bill that relates to pharmacy oversight. It changes the increase in reimbursement in the bill for methadone providers from \$80 to \$72 a week. It removes the language that gives the Department of Health and Human Services the authority to increase reimbursement by rulemaking.

**Senate Amendment "A" To Committee Amendment "A" (S-331)**

This amendment amends Committee Amendment "A" by striking the requirement that the Department of Health and Human Services conduct a rate study, striking the provision mandating that the department increase the reimbursement rate for outpatient opioid treatment providers and adding language permitting the department to increase that rate if the department finds an increase to be justified. In addition, the amendment gives the Joint Standing Committee on Health and Human Services the authority to report out legislation to the Second Regular Session of the 128th Legislature to increase the reimbursement rate for outpatient opioid treatment providers. With the removal of the two initiatives requiring appropriations and allocations, the amendment strikes the appropriations and allocations section.

**Enacted Law Summary**

Public Law 2017, chapter 305 authorizes registered professional nurses, certified nurse practitioners and licensed practical nurses to dispense opioid medication for substance abuse treatment purposes to patients in an opioid treatment program. It also directs the Department of Health and Human Services to amend its rules to permit outpatient opioid treatment providers to be open six days per week as provided under federal law. It permits the department to increase the MaineCare reimbursement rate for outpatient opioid treatment from \$60 per week if the department finds an increase to the reimbursement rate to be justified. It authorizes the Joint Standing Committee on Health and Human Services to report out legislation to the Second Regular Session of the 128th Legislature to increase the reimbursement rate for outpatient opioid treatment providers.

**LD 966**

**An Act To Create Mental Health Liaison Positions in Each County Jail**

**CARRIED OVER**

| <u>Sponsor(s)</u>    | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| MALABY R<br>BRAKEY E |                         |                           |