

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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/>

MEMBERS:

SEN. ERIC L. BRAKEY, CHAIR
SEN. JAMES M. HAMPER
SEN. BENJAMIN M. CHIPMAN

REP. PATRICIA HYMANSON, CHAIR
REP. ANNE C. PERRY
REP. SCOTT M. HAMANN*
REP. JOYCE MCCREIGHT*
REP. COLLEEN M. MADIGAN
REP. DALE J. DENNO
REP. JENNIFER ELLEN PARKER
REP. DEBORAH J. SANDERSON
REP. RICHARD S. MALABY
REP. FRANCES M. HEAD
REP. PAUL B. CHACE

*Committee member for a portion of the session

STATE OF MAINE

128TH LEGISLATURE
FIRST REGULAR SESSION



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

This bill requires the Department of Health and Human Services to work with emergency medical services providers in the State to define, and provide reimbursement under MaineCare for, community paramedicine services that do not involve transporting patients.

Committee Amendment "A" (H-296)

This amendment, which is the majority report of the committee, removes the provisions in the bill that relate to community paramedicine services. It increases beginning March 1, 2018, the reimbursement rate for ambulance services under the MaineCare program under current law from 65% to 70% of the average allowable reimbursement rate under Medicare. It provides that the Department of Health and Human Services may not lower any reimbursement rates for ambulance services below the rates as of January 1, 2017. The amendment also adds an appropriations and allocations section.

This resolve 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 999	An Act To Provide a Healthy Learning Environment in Early Care Settings by Requiring Rules Concerning Nutrition and Physical Activity	CARRIED OVER
---------------	--	---------------------

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

This bill provides that rules adopted by the Department of Health and Human Services for child care facilities and family child care providers must include rules pertaining to physical activity and recreational screen time and the provision of nutritious foods that contribute to the wellness, healthy growth and development of young children.

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

LD 1000	Resolve, To Increase Access to Brain Injury Waiver Services	CARRIED OVER
----------------	--	---------------------

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MALABY R LANGLEY B	OTP-AM	H-295

This resolve directs the Department of Health and Human Services to increase the rates for services provided to MaineCare members receiving Home Support (Residential Habilitation) Level I under the brain injury waiver, rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 18, to no less than \$8.63 per quarter hour. It also allows up to 400 units of care coordination each year rather than only in the first year of receiving services under the waiver. The Department of Health and Human Services is directed to explore opportunities to provide additional telehealth services, including care coordination services, provided by both licensed medical personnel and nonlicensed personnel.

Committee Amendment "A" (H-295)

This amendment clarifies that the Department of Health and Human Services must seek approval from the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to amend the brain injury waiver to increase Home Support (Residential Habilitation) Level I rates to no less than \$8.63 per quarter hour. It requires the increase in reimbursement to go to direct support employees. This amendment also includes an appropriations and allocations section.

This bill was reported out of committee and then carried over to any special or regular session of the 128th

Joint Standing Committee on Health and Human Services

Legislature on the Special Appropriations Table by joint order, S.P. 601.

LD 1001 An Act To Promote Testing of Drinking Water for Maine Families

**Died Between
Houses**

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

This bill waives the fee for testing a private residential water supply for any household with income at or below 200% of the federal poverty level.

Committee Amendment "A" (H-162)

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

This amendment was not adopted.

LD 1017 An Act To Strengthen Work Participation in the Temporary Assistance for Needy Families Program

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANDERSON D BRAKEY E	ONTP	

This bill removes all the good cause exceptions that prevent a person from being sanctioned under the Additional Support for People in Retraining and Employment - Temporary Assistance for Needy Families, or ASPIRE-TANF, program or the Temporary Assistance for Needy Families program for failure to participate in the ASPIRE-TANF program, with the exception of domestic violence. Some of the substance of this bill was included in Public Law 2017, chapter 256 (LD 336).

LD 1031 An Act To Clarify the Opioid Medication Prescribing Limits Laws

**PUBLIC 213
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRATWICK G BERRY S	OTP-AM	S-242

This bill addresses opioid medication prescribing limits.

Public Law 2015, chapter 488 requires that, beginning July 1, 2017, the aggregate amount of opioid medication prescribed to a patient may not be in excess of 100 morphine milligram equivalents per day and directs the Department of Health and Human Services to adopt rules establishing reasonable exceptions to those prescriber limits. This bill codifies in statute the exceptions adopted in the department's rules and adds an exception to prescribing limits for medical necessity.

Committee Amendment "A" (S-242)

This amendment replaces the bill. The amendment makes the following changes to the laws relating to the Controlled Substances Prescription Monitoring Program and limits on opioid prescribing.