

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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*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 1177

An Act To Create an Appeals Process for Child Care Providers

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK A ESPLING E		

This bill establishes the Child Care Appeal Review Panel to review disputes related to the licensing and certification of child care facilities, family child care providers and nursery schools, including revocations, suspensions, denials, demotions to conditional status, rule compliance issues and denials of requests for alternative compliance methods but not including child abuse and neglect investigations. The review panel members are appointed by the Governor for five-year terms. The director of the division of licensing and regulatory services within the Department of Health and Human Services is the chair of the panel but does not vote. The Office of the Attorney General provides legal counsel. The department and facility are required to abide by decisions made by the review panel.

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

**LD 1186 Resolve, Directing the Department of Health and Human Services To
Develop a Resource Guide for Assistance in Substance Abuse Matters**

ONTP

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

This resolve requires the Department of Health and Human Services to create a resource guide for state-funded and other alcohol and drug abuse treatment, prevention and recovery programs. The resource guide must be made available on a publicly accessible website and searchable by location and by services provided.

**LD 1188 An Act To Facilitate MaineCare-Funded Assisted Living by Providing a
Cost-of-living Adjustment to Private Nonmedical Institutions and Adult
Family Care Homes**

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MALABY R	ONTP OTP-AM	H-330

This bill provides funds to the Department of Health and Human Services to give adult family care homes, residential care facilities and certain private nonmedical institutions a 4% cost-of-living rate increase for the state fiscal year ending June 30, 2018, and an additional cost-of-living increase for the state fiscal year ending June 30, 2019, based on a projected increase in the United States Department of Labor, Bureau of Labor Statistics Consumer Price Index medical care services index. The bill provides that annual cost-of-living adjustments are to be provided by rule for each fiscal year thereafter in accordance with the United States Department of Labor, Bureau of Labor Statistics Consumer Price Index medical care services index.

Committee Amendment "A" (H-330)

This amendment, which is the minority report of the committee, removes from the bill the 4% increase in fiscal year 2017-18 for reimbursement for adult family care homes, residential care facilities and certain private nonmedical institutions. It includes a reimbursement increase of 2.1% in fiscal year 2018-19. It establishes an annual increase beginning in fiscal year 2019-20 using the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services, Long-Term Care Hospital Market Basket change as published in the Federal