

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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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 1302 An Act To Increase Workforce Participation in the Temporary Assistance for Needy Families Program and Other Assistance Programs Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MADIGAN C MILLETT R	OTP-AM ONTP	

This bill requires the Department of Health and Human Services to administer a program to provide financial assistance to families receiving Temporary Assistance for Needy Families benefits or statewide food supplement program benefits for motor vehicle repairs, registration and inspection when the motor vehicle is needed for employment purposes. Under the bill, the program must be supported with federal block grant funding under the Temporary Assistance for Needy Families program.

Committee Amendment "A" (H-329)

This amendment is the majority report of the committee. It increases the allowable financial assistance for vehicle repairs to \$2,000 per year for a family receiving benefits under the ASPIRE-TANF program. It removes from the bill financial assistance for motor vehicle repairs and other expenses for recipients of food supplement programs. The amendment also adds an appropriations and allocations section.

Public Law 2017, chapter 284, the biennial budget, includes a pilot Working Cars for Families program for certain TANF recipients.

LD 1303 An Act To Establish the Vaccine Consumer Protection Program within the Department of Health and Human Services INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'CONNOR B		

This bill was not referred to committee.

This bill establishes the Vaccine Consumer Protection Program within the Department of Health and Human Services and describes the services provided under the program. This bill also clarifies that a medical exemption from immunization for the purposes of school attendance is to be determined by the child's physician. This bill also removes the Commissioner of Education and the Department of Health and Human Services rule-making authority regarding the statutory immunization provisions and school and municipal authority to have more stringent immunization requirements than state law.

LD 1314 Resolve, To Improve Access to Neurobehavioral Services CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MALABY R	OTP-AM	H-202

This resolve requires the Department of Health and Human Services to provide by September 1, 2018, 16 new neurobehavioral beds in one or more neurobehavioral centers to serve individuals with significant behavioral challenges and complex medical needs who need short-term evaluation and treatment before transitioning to a long-term care environment either in the community or a long-term care facility.

Joint Standing Committee on Health and Human Services

Committee Amendment "A" (H-202)

This amendment delays the date by which neurobehavioral beds must be provided from September 1, 2018, to July 1, 2019. It requires the Department of Health and Human Services to provide beds in two or more different centers rather than one or more centers as in the resolve. It restricts the population served to individuals with neurobehavioral issues or dementia and accompanying behavioral issues and removes individuals with brain injury, intellectual disabilities or autism.

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 1325 An Act Regarding Opioids and Palliative Care ONTP

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

This bill allows an exemption from the limits on opioid medication prescribing for a patient receiving palliative care under a management plan that is submitted by a licensed medical professional caring for the patient and approved by the Department of Health and Human Services and that documents the need for ongoing treatment of the patient that exceeds the limits on opioid medication prescribing.

LD 1326 An Act To Reduce Morbidity and Mortality Related to Opioid Misuse Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VACHON K	OTP-AM OTP-AM	H-293

This bill:

1. Repeals the provision making possession of a hypodermic apparatus a crime;
2. Creates a medical assistance exemption from criminal liability, including arrest, prosecution or incarceration, for a person who seeks medical assistance for that person's self or another who experiences a drug overdose if the grounds for the arrest, prosecution or incarceration were obtained as a result of the person's seeking medical assistance;
3. Removes Department of Health and Human Services rule-making authority over establishing community-based drug overdose prevention programs and adds statutory criteria for the establishment of the programs; and
4. Appropriates to the Department of Health and Human Services \$75,000 for syringe exchange programs and \$50,000 for naloxone hydrochloride distribution through community-based drug prevention programs for each year of the current biennium.

Committee Amendment "A" (H-293)

This amendment is the majority report of the committee. It returns to the Department of Health and Human Services rule-making authority over establishing community-based drug overdose prevention programs, which is removed in the bill. It directs the department to provisionally adopt rules regarding community-based drug overdose prevention programs by January 15, 2018. It removes from the bill the appropriation for syringe exchange programs