

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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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

Chapter III, Section 97: Private Non-Medical Institution Services proposed in this rule. The rule approved by the Legislature as part of Resolve 2017, chapter 6, made approval pursuant to this resolve unnecessary.

Resolve 2017, chapter 17 was finally passed as an emergency measure effective June 20, 2017.

LD 1367 Resolve, To Support Family-directed Housing Initiatives and Alternative Programming for Individuals with Disabilities in Underserved Areas ONTP

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

This resolve requires the Department of Health and Human Services to work with community partners to develop pilot projects for residential facilities that each serve up to 10 individuals with intellectual disabilities eligible for services under its rule Chapter 101: MaineCare Benefits Manual, Chapters II and III, Section 20, 21 or 29 or other applicable sections for the population's needs. It requires that the department support private fund-raising by the local communities and develop contracts with local entities to determine admission standards, make referrals and either directly provide day-to-day services or contract for them. It requires that the department consider the need to increase reimbursement under MaineCare for applicable services to counter high costs in underserved rural areas. The department must report by January 1, 2020, on the progress of the pilot projects, number of facilities created, number of individuals served, expenditures, cost comparisons and outcome measures together with any recommendations regarding applicability of the pilot projects as a model for similar future projects around the State.

LD 1374 Resolve, Directing the Department of Health and Human Services To Assess and Improve the Availability of Child Care Services CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FREY A		

This resolve directs the Department of Health and Human Services to restore consistent scheduled meetings of the Child Care Advisory Council and directs the department to contract with a third party to conduct a study to assess the availability of child care in the State, to engage in cost modeling to determine the cost of child care and to develop a system to support child care providers and parents. It directs the department to report to the Second Regular Session of the 128th Legislature no later than February 1, 2018.

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

LD 1375 An Act To Prevent Overdose Deaths and Infectious Diseases by Establishing Safer Drug Use Facilities Accepted Majority (ONTP) Report

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

This bill directs the Department of Health and Human Services to certify two facilities in the State to provide safe and secure locations for people to self-administer previously obtained drugs. The bill requires the facilities to have health care personnel and other trained staff, to provide information concerning drug overdoses and diseases associated with drug use, to administer first aid or other medications in case of an overdose and to provide referrals to other services clients of the facilities may need. The bill immunizes from arrest or prosecution clients and staff

Joint Standing Committee on Health and Human Services

members acting in accordance with the provisions of the bill and creates a tolerance zone with 0.5 miles of the facility. The facilities are directed to report certain demographic and other information to the department, which is directed to analyze the information and report to the joint standing committee of the Legislature having jurisdiction over health and human services matters. The department is also directed to review the effectiveness of the facilities to determine whether to open additional facilities.

Committee Amendment "A" (H-501)

This amendment is the minority report of the committee and replaces the bill. It establishes a precertification process within the Department of Health and Human Services that would review the qualifications of an applicant seeking to open a safer drug use facility and it establishes requirements for such a facility. It provides certain exemptions from criminal liability for clients and staff members of a facility. It provides for a referendum process at the municipal level for municipalities to approve the establishment of a safer drug use facility. The amendment also adds an appropriations and allocations section.

This amendment was not adopted.

**LD 1408 An Act To Establish an Independent Citizens Oversight Committee on
Maine's Welfare Programs Died Between
Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY N GATTINE D	OTP-AM ONTP	

This bill requires the Department of Health and Human Services to collect data related to performance measures of the Temporary Assistance for Needy Families, or TANF, program, including reducing child poverty and food insecurity and improving educational attainment, employment and income levels. It also requires the department to set benchmarks to measure improvement and success of the TANF program. It establishes the Independent Citizens Oversight Committee to monitor the Department of Health and Human Services' progress with respect to meeting benchmarks for success of the TANF program.

Committee Amendment "A" (S-156)

This amendment, which is the majority report of the committee, makes minor changes to the data and benchmarks that must be collected by the Department of Health and Human Services and reviewed by the Independent Citizens Oversight Committee, which is established in the bill. This amendment also adds an appropriations and allocations section to provide funding for a position in the Department of Health and Human Services to analyze the data.

This amendment was not adopted.

**LD 1412 An Act To Increase Access to Workforce Development Programs for
New Maine Residents Accepted Minority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHIPMAN B FECTEAU R	REF TO LCED/ONTP ONTP	

This bill establishes and funds the Immigrant Workforce Development Fund, which provides competitive grants to ethnicity-based community organizations to fund programs and services to help legal immigrants and refugees become economically self-sufficient.