

# 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***

revoked are ineligible for reauthorization;

20. Requires a cardholder to notify the department when the information on the card issued by the department is inaccurate or changes;

21. Amends fees for various registrations;

22. Adds a sanction for a person found to be in possession of a registry identification card issued to another person; and

23. Provides for an opportunity for an informal hearing process for specified persons aggrieved by a department enforcement action.

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

**LD 1545      An Act Regarding Disclosure of Health Care Information of a Deceased Person      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY N	ONTP	

This bill requires a health care practitioner or facility to provide health care information of a deceased person to an immediate family member upon request of the family member, including the parent or guardian of a minor child of the deceased when there is documented need for parental medical history for the health and well-being of that minor child.

**LD 1556      An Act To Protect Children from Prenatal Drug and Alcohol Exposure      Accepted Majority (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HEAD F CYRWAY S	ONTP OTP-AM	

This bill amends the law that requires certain mandated reporters of child abuse to report to the Department of Health and Human Services when they know or suspect that an infant had been exposed to drugs or alcohol prior to birth. This bill extends that mandate to all mandated reporters of child abuse, adds substance abuse addiction treatment providers to the list of mandated reporters and requires all mandated reporters to report to the Department of Health and Human Services not only after the birth of an infant but also when they know of or suspect substance abuse by a woman during her pregnancy.

**Committee Amendment "A" (H-261)**

This amendment replaces the bill and is the minority report of the committee. The amendment requires that a health care provider involved in the care of a pregnant woman who knows or has reasonable cause to suspect that a fetus has been or will be affected by the pregnant woman's unlawful use of drugs during the pregnancy is required to notify the Department of Health and Human Services of the pregnant woman's unlawful use of drugs. The amendment also specifies that this notification must be made in the same manner as other reports of abuse or neglect required by the Maine Revised Statutes, Title 22, chapter 1071, subchapter 2 and that the notification may not be construed to establish a definition of "abuse" or "neglect" and may not be construed to require prosecution for any illegal action, including, but not limited to, the act of exposing a fetus to drugs or other substances or