

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

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

Joint Standing Committee on Health and Human Services

unlawful use of drugs by a pregnant woman.

This amendment was not adopted.

LD 1563 *Resolve, To Establish the Maine Health Advisory Committee*

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|------------------------|-------------------------|---------------------------|
| GRATWICK G TUCKER R | ONTP | |

This resolve establishes the Maine Health Advisory Committee.

LD 1612 *An Act To Support Maine Families through Universal Family Care*

CARRIED OVER

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|------------------------|-------------------------|---------------------------|
| GATTINE D BELLOWS S | | |

This bill establishes the Universal Family Care Program of universal child care and in-home and community support services for all individuals and families who are eligible. Eligibility for universal child care is based on the age of the child, and eligibility for in-home and community support services is based on medical eligibility. Income is not a factor for eligibility. The bill establishes the Universal Family Care Trust Fund, which is managed by a board composed of members who represent child care providers, home care agencies, employees of child care providers and home care agencies and consumers of child care and home care services. The board employs professional staff and receives advice from an advisory committee composed of the Commissioner of Health and Human Services, the Commissioner of Education and the Commissioner of Labor as well as the Treasurer of State, the President of the Senate and the Speaker of the House of Representatives. Base funding for universal child care is from child care funds from the Temporary Assistance for Needy Families program and the federal Child Care and Development Fund block grant. Base funding for universal in-home and community support services is from federal matching funding related to home and community support services and state funding for elder services provided in the home.

To complete the funding for the Universal Family Care Program, the Department of Administrative and Financial Services, Bureau of Revenue Services is directed to develop and submit to the Joint Standing Committee on Health and Human Services draft legislation to establish universal family care taxes. The taxes are to be structured to include three elements: a tax on wages that is substantially equivalent to the federal Social Security's Old-Age, Survivors, and Disability Insurance program tax, but that applies only to earnings above the annual contribution and benefit base of the federal tax; a self-employment tax applicable to taxpayers who are subject to the federal Self-Employment Contributions Act tax that is equivalent to that tax and applies to net earnings above the annual limit subject to taxation under that federal tax; and a tax equal to the wage and self-employment taxes that is imposed on unearned annual income and that applies in a manner similar to the federal Net Investment Income Tax. The bill directs the Joint Standing Committee on Health and Human Services to report out a bill to the Second Regular Session of the 128th Legislature to establish universal family care taxes to fully fund the Universal Family Care Program.

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