

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
128<sup>TH</sup> LEGISLATURE  
FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON HEALTH AND  
HUMAN SERVICES**

October 2018

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# STATE OF MAINE

128<sup>TH</sup> LEGISLATURE

FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contain summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Special, Second Regular and Second Special Sessions 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 dates for non-emergency legislation enacted in the First Special, Second Regular or Second Special Sessions of the 128<sup>th</sup> Legislature are: Monday, February 5, 2018; Wednesday, August 1, 2018; and Thursday, December 13, 2018, respectively. 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*

1. The Department of Health and Human Services must continue contracts with the Community Partnerships for Protecting Children programs through at least January 31, 2019, either by not terminating the contracts or by reentering and maintaining new contracts; and
2. The department must develop a plan for providing the services currently provided by the Community Partnerships for Protecting Children programs, including the Parents as Partners program, and the role of child abuse and neglect prevention councils. The department must report the plan to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 1, 2019. The joint standing committee may report out a bill on the subject matter of this resolve to the First Regular Session of the 129th Legislature.

### **Enacted Law Summary**

Resolve 2017, chapter 56 requires the Department of Health and Human Services to continue contracts with the Community Partnerships for Protecting Children for child abuse prevention programs through at least January 31, 2019, either by not terminating the contracts or by reentering and maintaining new contracts. The department must develop a plan for providing the services currently provided by the Community Partnerships for Protecting Children programs, including the Parents as Partners program, and the role of child abuse and neglect prevention councils. The department must report the plan to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 1, 2019. The joint standing committee may report out a bill on the subject matter of this resolve to the First Regular Session of the 129th Legislature.

Resolve 2017, chapter 56 was finally passed as an emergency measure effective May 2, 2018.

<b>LD 1899</b>	<b>Resolve, To Require the Department of Health and Human Services To Submit a State Plan Amendment Regarding Assets in Retirement and Education Accounts</b>	<b>Died On Adjournment</b>
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<u>Sponsor(s)</u> CASAS O	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-761
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This resolve was carried over on the Special Appropriations Table from the Second Regular Session to the next special session by joint order S.P. 748.

This resolve requires the Department of Health and Human Services to prepare and submit a state plan amendment to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services in order to make a change in Medicaid eligibility requirements for individuals with disabilities who are living with dependent children by disregarding assets held in qualifying retirement and education accounts.

### **Committee Amendment "A" (H-761)**

This amendment adds an appropriations and allocations section.

<b>LD 1906</b>	<b>An Act To Allow Adults To Purchase Tobacco Products</b>	<b>INDEF PP</b>
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<u>Sponsor(s)</u> SANDERSON D	<u>Committee Report</u>	<u>Amendments Adopted</u>
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This bill was carried over from the Second Regular Session to the next special session by joint order S.P. 748.

***Joint Standing Committee on Health and Human Services***

This bill was not referred to committee.

Public Law 2017, chapter 308 increased the legal age for purchase or possession of tobacco products to 21 years of age, except for those persons who attained 18 years of age by July 1, 2018.

This bill reduces the legal age for purchase and possession of tobacco products to 18 years of age. This bill also allows a person who is 17 years of age to sell tobacco products if supervised by a person who is at least 18 years of age.

**LD 1909      **Resolve, To Fund a New Comprehensive Child Welfare Information System****

**Died On  
Adjournment**

Sponsor(s)  
HAMPER J

Committee Report

Amendments Adopted

This resolve was carried over from the Second Regular Session to the next special session by joint order S.P. 748.

This resolve was not referred to committee.

This resolve directs the Department of Health and Human Services to conduct a needs analysis for its comprehensive child welfare information system, review possible solutions to meet those needs and purchase or develop a new system. It also provides funding for the development of a new comprehensive child welfare information system.

The substance of this resolve was incorporated in Public Law 2017, chapter 471.

**LD 1911      **An Act To Improve Access to Services for Adults with Serious and Persistent Mental Illness****

**Died On  
Adjournment**

Sponsor(s)  
MALABY R

Committee Report

Amendments Adopted

This bill was carried over from the Second Regular Session to the next special session by joint order S.P. 748.

This bill was not referred to committee.

This bill establishes the right of an adult with serious and persistent mental illness who is denied access to services by a provider contrary to the terms of the provider's contract with the Department of Health and Human Services to seek department review of that action. If department review does not resolve the matter, the consumer may bring a private right of action in District Court for injunctive relief.