

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
129<sup>TH</sup> LEGISLATURE  
FIRST SPECIAL AND SECOND REGULAR SESSIONS



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

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

November 2020

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# STATE OF MAINE

129<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



## 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 129<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 129<sup>th</sup> Legislature is Thursday, September 19, 2019. 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*

health among Maine children and adults.

**Committee Amendment "A" (H-667)**

This amendment replaces the bill, which is a concept draft, with a resolve. It directs the Commissioner of Health and Human Services to review, with stakeholder input, the State's public health infrastructure and develop recommendations to strengthen the efficiency and effectiveness of public health service delivery and to submit a report with those recommendations to the joint standing committee of the Legislature having jurisdiction over health and human services matters no later than January 1, 2021. The committee may report out legislation to the First Regular Session of the 130th Legislature related to the recommendations of the report.

**Enacted Law Summary**

Resolves 2019, chapter 114 directs the Commissioner of Health and Human Services to review, with stakeholder input, the State's public health infrastructure and develop recommendations to strengthen the efficiency and effectiveness of public health service delivery and to submit a report with those recommendations to the joint standing committee of the Legislature having jurisdiction over health and human services matters no later than January 1, 2021. The committee may report out legislation to the First Regular Session of the 130th Legislature related to the recommendations of the report.

**LD 231      An Act To Improve Public Health by Maximizing Federal Funding Opportunities      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERRY A CARSON B	ONTP	

This bill was carried over in committee from the First Regular Session of the 129th Legislature by joint order, H.P. 1322.

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to increase federal funding to improve the State's public health outcomes and workforce by designating the Maine Public Health Institute within the University of Southern Maine's Edmund S. Muskie School of Public Service as an agent of the Department of Health and Human Services for the purpose of applying for federal funds to support public health research and programming. To provide guidance to the Maine Public Health Institute in carrying out this duty, this bill would establish an advisory board composed of officials from the department, including the Director of the Maine Center for Disease Control and Prevention, and representatives of statewide public health organizations and care providers. The bill would require that the Maine Public Health Institute report every two years to the department and the joint standing committee of the Legislature having jurisdiction over health and human services matters.

**LD 232      Resolve, Directing the Department of Health and Human Services To Review the Progressive Treatment Program and Processes by Which a Person May Be Involuntarily Admitted to a Psychiatric Hospital or Receive Court-ordered Community Treatment      HELD BY GOVERNOR**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERRY A MOORE M	OTP-AM	H-707

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

This bill was carried over in committee from the First Regular Session of the 129th Legislature by joint order, H.P. 1322.

This bill changes the process by which a petition to the District Court is made to admit a patient at a designated nonstate mental health institution to a progressive treatment program. Current law provides that the superintendent or chief administrative officer of a psychiatric hospital, including a designated nonstate mental health institution, directly petition the District Court. This bill provides that the superintendent or chief administrative officer of a designated nonstate mental health institution request the Commissioner of Health and Human Services to petition the District Court on the superintendent's or chief administrative officer's behalf.

**Committee Amendment "A" (H-707)**

This amendment replaces the bill with a resolve. It adds an emergency preamble and emergency clause. It directs the Commissioner of Health and Human Services to convene a stakeholder group of interested parties to review the progressive treatment program under the Maine Revised Statutes, Title 34-B, section 3873-A to increase participation of nonstate mental health institutions in that program and to review for efficiency and effectiveness the processes by which a person may be involuntarily admitted to a psychiatric hospital or receive court-ordered community treatment pursuant to Title 34-B, chapter 3, subchapter 4, article 3. The commissioner is directed to submit a report with recommendations to the joint standing committee of the Legislature having jurisdiction over health and human services matters no later than December 1, 2020. The committee may report out legislation to the First Regular Session of the 130th Legislature related to the recommendations of the report.

**LD 234      Resolve, To Increase Certain Chiropractic Reimbursement Rates under      CARRIED OVER**  
**the MaineCare Program**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN J LIBBY N	OTP-AM ONTP	H-22

This resolve was carried over from the First Regular Session of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

This resolve requires the Department of Health and Human Services, by January 1, 2020, to amend its rules in Chapter 101: MaineCare Benefits Manual, Chapter III, Section 15 to increase reimbursement rates for chiropractic services for manipulative treatments under procedure codes 98940, 98941 and 98942 to no less than 70% of the federal Medicare reimbursement rate for these services as long as the rate is no lower than the rate reimbursed as of January 1, 2019. If the department conducts a rate study of chiropractic services for manipulative treatments, the department may adopt new rates. The rules adopted are routine technical rules.

**Committee Amendment "A" (H-22)**

This amendment, which is the majority report of the committee, amends the appropriations and allocations section of the bill to reflect a more accurate estimate of the cost of the bill.

This resolve was again carried over, still on the Special Appropriations Table, to any special session of the 129th Legislature by joint order, S.P. 788.