

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
129<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 2019

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# STATE OF MAINE

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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 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*

**LD 493      An Act To Provide Lung Cancer Counseling and Screening for  
MaineCare Recipients**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANBORN L GATTINE D	OTP-AM	S-223

This bill requires that shared decision-making counseling and annual screening for lung cancer for certain recipients be reimbursed under the MaineCare program. The Department of Health and Human Services may adopt routine technical rules to implement this requirement.

**Committee Amendment "A" (S-223)**

This amendment adds an appropriations and allocations section. The amendment also reallocates the statutory language to avoid a numbering conflict with a prior enacted section.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

**LD 494      An Act To Update the Family Planning Statutes**

**PUBLIC 236**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANBORN L GATTINE D	OTP-AM OTP-AM	S-151

This bill updates language in the laws governing family planning.

**Committee Amendment "A" (S-151)**

This amendment, which is the majority report of the committee, amends the bill to remove conflicts with other provisions in statute relating to consent by minors. Current law provides that the treatment of a minor for a sexually transmitted infection does not require the consent of the minor's parent or guardian. This amendment provides that the prevention or treatment of a sexually transmitted infection does not require the consent of the minor's parent or guardian. Current law also provides that family planning services may be provided to a minor who is a parent, who is married, with the consent of the minor's guardian or if the minor will suffer probable health hazards. This amendment provides that a health care provider may provide family planning services to a minor without requiring the consent of the minor's parent or guardian, just as with sexually transmitted infections. This amendment clarifies that the provisions of the Maine Revised Statutes, Title 22, chapter 406 regarding family planning services are not intended to change the scope of practice of a health care provider. It also makes other technical changes.

**Committee Amendment "B" (S-152)**

This amendment, which is the minority report of the committee, amends the bill to remove conflicts with other provisions in statute relating to consent by minors. Current law provides that the treatment of a minor for a sexually transmitted infection does not require the consent of the minor's parent or guardian. The amendment provides that the prevention or treatment of a sexually transmitted infection does not require the consent of the minor's parent or guardian. The amendment clarifies that the provisions of the Maine Revised Statutes, Title 22, chapter 406 regarding family planning services are not intended to change the scope of practice of a health care provider. It also makes other technical changes.

This amendment was not adopted.

## Joint Standing Committee on Health and Human Services

### Enacted Law Summary

Public Law 2019, chapter 236 updates language in the laws governing family planning, makes technical changes and removes conflicts with other provisions in statute relating to consent by minors. It clarifies that the provisions of the Maine Revised Statutes, Title 22, chapter 406 regarding family planning services are not intended to change the scope of practice of a health care provider.

**LD 498      Resolve, Regarding Reimbursement of Physical Medicine and Rehabilitation Codes under MaineCare      CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANBORN L BRENNAN M	OTP-AM	S-144

This resolve sets the reimbursement rates for occupational therapy and physical therapy services under the Department of Health and Human Services rule Chapter 101: MaineCare Benefits Manual, Chapter III, Sections 68 and 85 at 70% of the federal Medicare reimbursement rate as long as the rate is no lower than the rate in effect on January 1, 2019.

**Committee Amendment "A" (S-144)**

This amendment adds an appropriations and allocations section.

This resolve was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

**LD 500      An Act To Extend the Limitation on Prescribing Opioids for Certain Individuals with Chronic Pain      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHENETTE J	ONTP	

Current law prohibits an individual licensed to prescribe opioid medication from prescribing more than a 30-day supply of an opioid medication to a patient under treatment for chronic pain. This bill allows an individual licensed to prescribe opioid medication to prescribe no more than a six-month supply of an opioid medication to a patient under treatment for chronic pain who has been prescribed medication for chronic pain continually for at least five years or is 63 years of age or older.

**LD 508      Resolve, To Study the Protection of Youth and Young Adults from Addiction and Premature Death by Restricting Marketing of Tobacco Products      CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GROHOSKI N MOORE M		

This resolve requires the Office of the Attorney General to research marketing practices by the tobacco industry and regulatory options for the State to employ to curb youth and young adult use of and addiction to tobacco products, including electronic nicotine delivery systems. The Office of the Attorney General is required to report its findings to the Joint Standing Committee on Health and Human Services by February 1, 2020, and the committee is required