

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH 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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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 129th 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 129th 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

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

Joint Standing Committee on Health and Human Services

to submit a bill to the Second Regular Session of the 129th Legislature related to the report.

This resolve was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 511 An Act To Create a Position within the Department of Health and Human Services To Coordinate Dementia Programs and Services CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRAVEN M SANBORN L	OTP-AM	H-159

This bill establishes a position within the Department of Health and Human Services, Office of Aging and Disability Services for coordinating programs and services to Maine's population with Alzheimer's disease and other dementias across departments and branches of State Government. The coordinator is required to implement recommendations developed by the United States Department of Health and Human Services, Centers for Disease Control and Prevention and national organizations such as the Alzheimer's Association and plans developed by the Department of Health and Human Services relating to Alzheimer's disease and other dementias. The department is required to submit an annual report to the joint standing committee of the Legislature having jurisdiction over health and human services matters outlining the activities and progress of the coordinator and the department. The bill includes funding for the coordinator position.

Committee Amendment "A" (H-159)

This amendment replaces references to "Alzheimer's disease and other dementias" from the bill and uses the term "dementia" instead. It also clarifies that the coordinator oversees the implementation of any state or federal plans related to dementia and that programs and services are for both individuals with dementia and their families.

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 538 An Act To Ensure Access to Medical Cannabis for Visiting Qualifying Patients PUBLIC 209 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLUME L	OTP-AM	H-347

This bill repeals the provision of the Maine Medical Use of Marijuana Act that requires visiting qualifying patients to designate a registered caregiver or dispensary in order to obtain harvested marijuana.

Committee Amendment "A" (H-347)

This amendment, which is the unanimous report of the committee, adds an emergency preamble and emergency clause to the bill. It removes the requirement that a visiting qualifying patient obtain valid written certification pursuant to Maine law from the visiting patient's medical provider. It also directs the Department of Administrative and Financial Services to maintain a list of other jurisdictions that authorize the medical use of marijuana and the images of the valid medical marijuana certifications from those jurisdictions and make that information available to registered caregivers and registered dispensaries.

Enacted Law Summary

Public Law 2019, chapter 209 removes the requirement that a visiting qualifying patient obtain valid written certification pursuant to Maine law from the visiting patient's medical provider. It also directs the Department of