

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH 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

129TH 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 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

LD 539 Resolve, To Ensure Appropriate Personal Needs Allowances for Persons Residing in Nursing Facilities CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCREAD MILLETTR	OTP-AM	H-131

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 directs the Department of Health and Human Services to amend its MaineCare rules to provide for increases in the personal needs allowances of residents in nursing facilities and residential care facilities. The rules are designated as routine technical rules.

Committee Amendment "A" (H-131)

This amendment increases the personal needs allowance for residents of nursing facilities to \$50 rather than the \$70 required in the resolve. It removes the section of the resolve that increases the personal needs allowance for residents of residential care facilities. The amendment also specifies the rule chapter of the Department of Health and Human Services that is changed, changes the title of the resolve and adds an appropriations and allocations section.

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.

LD 593 Resolve, To Stabilize the Behavioral Health Workforce and Avert More Expensive Treatments CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BREEN C MADIGAN C	OTP-AM ONTP	S-143 S-161 BREEN C

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 provides funding to increase rates by 8% in rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 65, Behavioral Health Services. The resolve also specifies that the increase in reimbursement rates must be applied to wages and benefits for employees who provide direct care services and not to administrators or managers and that to qualify for the rate increase an agency providing services must demonstrate, to the satisfaction of the Department of Health and Human Services, that an increase in wages and benefits has been granted to employees providing direct care services that equals the amount of the projected increase in reimbursement to be received.

Committee Amendment "A" (S-143)

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

Senate Amendment "A" To Committee Amendment "A" (S-161)

This amendment removes the emergency preamble and clause and changes the date by which the Department

Joint Standing Committee on Health and Human Services

of Health and Human Services must amend its rule.

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.

LD 633 An Act To Create a Kinship Care Navigator Program within the CARRIED OVER
Department of Health and Human Services

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WARREN C BELLOWS S	OTP-AM	H-195

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

This bill requires the Commissioner of Health and Human Services to appoint one person to administer all issues related to the placement of a child with a relative.

Committee Amendment "A" (H-195)

This amendment replaces the bill. It establishes within the Department of Health and Human Services the kinship care navigator program to provide resources and information to persons providing kinship care to children in the State. It requires the Commissioner of Health and Human Services to designate one person to administer the program. It also adds an appropriations and allocations section.

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

LD 653 Resolve, To Establish the Task Force To Study Opportunities for ONTP
Improving Home and Community-based Services

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COOPER J SANBORN H	ONTP	

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

This resolve establishes the Task Force To Study Opportunities for Improving Home and Community-based Services. The task force membership consists of Legislators, representatives of entities knowledgeable about or involved in home and community-based services, one provider of such services, one recipient of such services, the Commissioner of Health and Human Services, the Commissioner of Labor, and one member of the public. The task force's duties include examination and review of the unmet need for home and community-based services, adequacy of the workforce providing home and community-based services, current systems for delivering home and community-based services and reimbursement arrangements in the home and community-based services sector. The task force is required to publish an interim report by October 15, 2019 and then seek input from stakeholders around the State. The task force must report its findings and recommendations, including any necessary implementing legislation, to the Joint Standing Committee on Health and Human Services by December 15, 2019.