

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

and any rulemaking activities to the Joint Standing Committee on Health and Human Services no later than December 1, 2019.

LD 775 Resolve, To Direct the Department of Health and Human Services To Amend Its Rules for Eligibility for Community Support Services

HELD BY GOVERNOR

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRAMLICH L MOORE M	OTP-AM ONTP	H-403

This bill directs the Department of Health and Human Services to amend its rules in Chapter 101: MaineCare Benefits Manual, Chapter II, Section 17, Community Support Services to include access to services to persons who have a diagnosis of bipolar disorder, major depressive disorder, panic disorder or post-traumatic stress disorder.

Committee Amendment "A" (H-403)

This amendment, which is the majority report of the committee, strikes and replaces the bill with a resolve. It directs the Department of Health and Human Services to amend its rule Chapter 101: MaineCare Benefits Manual, Chapter II, Section 17, Community Support Services concerning eligibility criteria for services under that section. It requires the department to report to the Joint Standing Committee on Health and Human Services by January 15, 2020 on the rulemaking process, proposed and provisionally adopted rules and justification for the adoption of the proposed rules. It authorizes the committee to report out legislation regarding the subject matter of the rules.

LD 803 An Act To Create 4 Regional Mental Health Receiving Centers

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WARREN C BELLOWS S		

This bill establishes four crisis intervention centers regionally throughout the State that will be operated and maintained by the Department of Health and Human Services. It requires the crisis intervention centers to provide treatment 24 hours a day, seven days a week and to provide sufficient staffing. It provides that the Department of Health and Human Services must adopt rules that include the certification of the crisis intervention centers; the location of the crisis intervention centers to ensure regional accessibility throughout the State; admission and discharge standards; requirements for notice of a person's admission; availability of and patients' access to treatment; the staffing model, with specific descriptions of staffing levels, roles and responsibilities; and patient rights protections; and that, to the extent possible, the rules must be consistent with the Maine Revised Statutes, Title 5, chapter 511; Title 34-B, chapter 1, subchapter 8; and Title 34-B, chapter 3, subchapter 4.

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

LD 821 Resolve, To Review Case Loads for Child Welfare Caseworkers

RESOLVE 34 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MADIGAN C BELLOWS S	OTP-AM	H-209

Joint Standing Committee on Health and Human Services

This bill requires that the Department of Health and Human Services ensure that a caseworker in the Office of Child and Family Services is not assigned a number of cases that exceeds a number established by the department by rule. The number established by the department must be a number recommended by a national organization with expertise in maximum case loads that ensures caseworkers can adequately focus on each case. The bill also provides that the number of caseworkers assigned to any individual support staff may not exceed eight.

Committee Amendment "A" (H-209)

This amendment replaces the bill with a resolve requiring the Department of Health and Human Services to review case load standards for child welfare caseworkers and develop standard case load recommendations with input from child welfare caseworkers and the Public Consulting Group. The Public Consulting Group is currently contracted with the department to evaluate the child welfare program. The department is required to submit a report by October 1, 2019 with its findings and recommendations and then submit annual reports on staffing in the child welfare program in relation to the standard case load recommendations. The reports are submitted to the joint standing committee of the Legislature having jurisdiction over health and human services matters and the joint legislative committee established to oversee program evaluation and government accountability matters. The amendment adds an emergency preamble and an emergency clause.

Enacted Law Summary

Resolve 2019, chapter 34 requires the Department of Health and Human Services to review case load standards for child welfare caseworkers and develop standard case load recommendations with input from child welfare caseworkers and the Public Consulting Group. The Public Consulting Group is currently contracted with the department to evaluate the child welfare program. The department is required to submit a report by October 1, 2019, with its findings and recommendations and then submit annual reports on staffing in the child welfare program in relation to the standard case load recommendations. The reports are submitted to the joint standing committee of the Legislature having jurisdiction over health and human services matters and the joint legislative committee established to oversee program evaluation and government accountability matters.

Resolve 2019, chapter 34 was finally passed as an emergency measure effective May 21, 2019.

LD 836 An Act To Expand Maine's School-based Health Centers

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HANDY J BELLOWS S	OTP-AM ONTP	H-158

This bill provides ongoing funding to the school-based health centers within the Fund for a Healthy Maine program within the Department of Health and Human Services to add an additional 15 school-based health center sites.

Committee Amendment "A" (H-158)

This amendment, which is the majority report of the committee, removes the reference to 15 new school-based health centers from the bill but retains the funding amount. The Department of Health and Human Services distributes the funding through a request for proposals process for the number of sites the funding will support.

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.