

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

Committee Amendment "A" (H-470)

This amendment replaces the bill with a resolve requiring the Department of Health and Human Services to study the impact of increases in the minimum wage and any statutory requirements for earned paid leave on the reimbursement rates for all services reimbursed under the department's rule Chapter 101: MaineCare Benefits Manual, Chapter III. The department is required to develop an assessment of future shortfalls and develop a plan to ensure that reimbursement rates remain sufficient to cover any future increases. The department may consult or contract with any experts or stakeholders that the department determines appropriate. The department shall report its findings, recommendations and suggested legislation to the Joint Standing Committee on Health and Human Services no later than March 1, 2020.

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 915 An Act To Provide Adequate Reimbursement under MaineCare for Ambulance and Neonatal Transport Services CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T DILLINGHAM K	OTP-AM	S-104

This bill specifies that beginning September 1, 2019 the reimbursement rate for ambulance services under the MaineCare program may not be less than the average allowable reimbursement rate under Medicare and reimbursement for neonatal transport services under MaineCare must be at the average rate for critical care transport services under Medicare.

Committee Amendment "A" (S-104)

This amendment adds an appropriations and allocations section to provide funding to increase the reimbursement rate for ambulance services.

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.

The substance of this bill was incorporated in Public Law, chapter 530 (LD 1028 in TAX).

LD 931 An Act To Reduce Obesity by Reimbursing for Prescription Drug Therapy Provided by a Member of a Weight Management Team CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HYMANSON P	OTP-AM ONTP	H-138

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to amend the laws governing the Department of Health and Human Services.

Committee Amendment "A" (H-138)

This amendment, which is the majority report of the committee, strikes the bill, which is a concept draft, to provide for reimbursement under the MaineCare program for prescription drug therapy services to treat obesity. The amendment also adds an appropriations and allocations section.

Joint Standing Committee on Health and Human Services

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

LD 934 Resolve, To Review the Implementation of the Maine Background Check Center Act

RESOLVE 53

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERRY A CLAXTON N	OTP-AM	H-348

This resolve directs the Commissioner of Health and Human Services to convene a study group to assess the effects of the implementation of the system of background checks established by the Maine Background Check Center Act. The commissioner is required to submit a report, including any recommended legislation, by December 15, 2019 to the Joint Standing Committee on Health and Human Services, which may submit legislation based on the report to the Second Regular Session of the 129th Legislature.

Committee Amendment "A" (H-348)

This amendment, which is the unanimous report of the committee, adds a directive to the study group to consider any barriers to implementing all required background checks under one background check system.

Enacted Law Summary

Resolve 2019, chapter 53 directs the Commissioner of Health and Human Services to convene a study group to assess the effects of the implementation of the system of background checks established by the Maine Background Check Center Act and to consider any barriers to implementing all required background checks under one background check system. The commissioner is required to submit a report, including any recommended legislation, by December 15, 2019 to the Joint Standing Committee on Health and Human Services, which may submit legislation based on the report to the Second Regular Session of the 129th Legislature.

LD 935 An Act To Increase the Viability of Assisted Living Facilities by Increasing the Rate of Reimbursement

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERRY A CLAXTON N	OTP-AM	H-198

Under current law, the MaineCare payment rates attributable to wages and salaries for personal care and related services for adult family care services, adult day services and homemaker services must be increased by a cost-of-living adjustment until the Department of Health and Human Services has completed a rate study conducted by a third party, including participation of providers, for adult family care services, adult day services or homemaker services and the rates in the rate study have been implemented. This bill requires that the rates determined by the department pursuant to the rate study also must be increased by a cost-of-living adjustment.

Committee Amendment "A" (H-198)

This amendment adds an appropriations and allocations 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.