

# 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

129<sup>TH</sup> LEGISLATURE  
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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*

monthly premiums based on income. The department is required to examine the possibilities for MaineCare members earning 100% to 138% of the federal poverty level to purchase private health insurance, including on the federal marketplace exchange established under the Patient Protection and Affordable Care Act, and take all practicable steps to assist those members to purchase private insurance. The amendment also adds an appropriations and allocations section.

This amendment was not adopted.

<b>LD 982</b>	<b>Resolve, To Expand the Use of the Women, Infants and Children Special Supplemental Food Program at Farmers' Markets</b>	<b>RESOLVE 93</b>
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAUGHTRY M	OTP-AM	H-427

This resolve directs the Commissioner of Health and Human Services to amend the rules regarding the use of the Women, Infants and Children Special Supplemental Food Program at farmers' markets by expanding the program from seasonal to include all 12 months of the calendar year and by expanding the scope of food products that may be purchased through the program at a farmers' market from only fresh fruits and vegetables to all food products allowed to be purchased through the program in general.

### **Committee Amendment "A" (H-427)**

This amendment strikes and replaces the resolve and adds an appropriations and allocations section.

### **Enacted Law Summary**

Resolve 2019, chapter 93 provides additional funding to the Maine Center for Disease Control and Prevention to expand the use of the Women, Infants and Children's Supplemental Food Program at farmers' markets.

<b>LD 984</b>	<b>Resolve, To Develop Plans To Return to the State Children Housed in Residential Treatment Systems outside of the State</b>	<b>RESOLVE 54</b>
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRAMLICH L LIBBY N	OTP-AM	H-352

This resolve requires the Department of Health and Human Services to coordinate with families of children who are receiving certain services out of state to develop plans to bring the children back to the State to receive the required services and care. The resolve also suspends current contracts regarding any psychiatric residential treatment facility licensed by the department and prohibits the department from issuing new contracts for such facilities. The suspension and moratorium are lifted 30 days after the department submits a report, as required by this resolve, to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Health and Human Services regarding the adequacy of beds and staffing levels in those facilities and the need to increase the MaineCare reimbursement rate to allow for additional facilities or staffing.

Additionally, the resolve provides funding to increase rates in rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 65, Behavioral Health Services, Children's Home and Community Based Treatment and Section 97, Appendix D, Principles of Reimbursement for Child Care Facilities by 30% no later than October 1, 2019.

### **Committee Amendment "A" (H-352)**

This amendment removes from the resolve the sections relating to psychiatric residential treatment facilities and

**Joint Standing Committee on Health and Human Services**

increasing MaineCare reimbursement rates under rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 65 and Section 97, Appendix D. The amendment requires the Department of Health and Human Services to negotiate reimbursement rates with providers to provide services to children returning to the State, including deviating from reimbursement rates established by department rules in order to access additional services.

**Enacted Law Summary**

Resolve 2019, chapter 54 requires the Department of Health and Human Services to coordinate with families of children who are receiving certain services out of state to develop plans to bring the children back to the State to receive the required services and care. It authorizes the Department of Health and Human Services to negotiate reimbursement rates with providers to provide services to children returning to the State, including deviating from reimbursement rates established by department rules in order to access additional services.

**LD 986      An Act To Expand Lead Inspections to Other Properties of the Owner of      ONTP**  
**a Property Determined to Contain Lead**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HANDY J LIBBY N	ONTP	

This bill requires an owner of a dwelling unit determined by the Department of Health and Human Services to have a case of lead poisoning to provide the name, principal address and contact information for the owner of the dwelling unit. If the owner is a business entity, this bill requires the name, principal address and contact information for each partner, officer, director, member, principal or shareholder of that business entity. If an owner or a partner, officer, director, member, principal or shareholder owns or co-owns another residential property built prior to 1978 and located in a high-density lead poisoning area, the Department of Health and Human Services is authorized to inspect every dwelling unit of that other residential property unless the owner can produce a certified lead inspection report conducted within the past three years showing that the other property is lead-safe. This bill splits any fine for violating the provisions of the law between the Lead Poisoning Prevention Fund and the Lead Abatement Fund administered by the Maine State Housing Authority.

**LD 993      An Act To Expand Recovery Support Services Offered in Penobscot and      ONTP**  
**Piscataquis Counties and the Greater Bangor Region To Improve**  
**Access, Treatment and Recovery for Those Affected by Substance Use**  
**Disorder by Designating a Regional Peer-supported Recovery Center**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROSEN K VEROW A	ONTP	

This bill directs the Department of Health and Human Services to contract with a regional peer-supported recovery center to expand recovery support services to all areas in Penobscot and Piscataquis counties and the greater Bangor region and provides funding for the contract.

**LD 1005      Resolve, To Establish a Pilot Project To Save Lives and Support People      RESOLVE 98**  
**with Substance Use Disorder in Washington County      EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERRY A MOORE M	OTP-AM	H-160