

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

STAFF:

ANNA BROOME, SENIOR LEGISLATIVE ANALYST
ERIN DOOLING, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
AND
LUKE LAZURE, SENIOR LEGISLATIVE ANALYST
OFFICE OF FISCAL AND PROGRAM REVIEW
5 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1635
<http://legislature.maine.gov/legis/opla/>

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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

LD 1032 An Act To Ensure Sufficient Representation of Adults Receiving Mental Health Services on Local Councils within the Consumer Council System of Maine ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FOLEY V MIRAMANT D	ONTP	

This bill amends the laws governing the membership of local councils within the Consumer Council System of Maine. It requires that at least 33% of the membership of a local council that consists of six or fewer members and at least 40% of the membership of a local council that consists of seven or more members must consist of adults receiving mental health services.

LD 1039 Resolve, To Establish and Fund Interventions for At-risk Families and Children CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MADIGAN C MOORE M	OTP-AM	H-250

This resolve requires the Department of Health and Human Services to provide grants to behavioral health providers to fund costs to attract, retain and train new professional employees to provide treatment services known as "functional family therapy - child welfare" and "multisystemic therapy for child abuse and neglect" to children and families involved in the child protective services. The department is required to develop a rate of reimbursement for these services under MaineCare and amend its rules in rule Chapter 101: MaineCare Benefits Manual, Sections 28 and 65 accordingly. The department is required to seek federal funding including under the Family First Prevention Services Act of 2017 for the grants. If federal funding is not available, the department is required to provide grants using General Fund money.

Committee Amendment "A" (H-250)

The 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 1052 An Act To Require Regular and Transparent Review of MaineCare Reimbursement Rates CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANBORN H FARNSWORTH D		

This bill establishes a regular review process for MaineCare reimbursement rates. The Department of Health and Human Services shall review all rates over a three-year period except those that are already subject to regular review, based on cost, reimbursed at a capitated rate, or tied to Medicare or some other rates. The three-year schedule and the reviews are required to be submitted to the joint standing committees of the Legislature having jurisdiction over health and human services matters and appropriations and financial affairs. The results of reviews are also submitted to the Governor for consideration for inclusion in the biennial budget. The bill also establishes the MaineCare Reimbursement Rates Review Advisory Committee made up of stakeholders appointed by the

Joint Standing Committee on Health and Human Services

Presiding Officers and the minority leaders in the Legislature to provide advice and input to the department on rate reviews. The advisory committee also submits an annual review of its activities to the joint standing committees of the Legislature having jurisdiction over health and human services matters and appropriations and financial affairs. The advisory committee is staffed by the Department of Health and Human Services.

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

LD 1062 An Act To Support Maine Families by Providing for Transportation of Parents and Guardians of MaineCare Recipients under 18 Years of Age to Their Appointments Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MADIGAN C MILLETT R	ONTP OTP-AM	

This bill allows nonemergency medical transportation services that are currently available to MaineCare members for transportation to and from providers of medical services to be used by parents or guardians of MaineCare members under 18 years of age to and from providers of medical services when no other means of transportation is available to the parents or guardians. The bill also requires the Department of Health and Human Services to adopt or amend rules to implement this provision. The Department of Health and Human Services is required to apply for any Medicaid waivers or submit any state plan amendments to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to receive matching funds. In the event that no matching federal funds are available, the Department of Health and Human Services is required to cover the cost using General Fund money.

Committee Amendment "A" (H-428)

This amendment, which is the minority report, replaces the bill. It directs the Department of Health and Human Services to provide nonemergency medical transportation for a parent or guardian of a MaineCare member under 18 years of age who is in a residential care facility or receiving inpatient medical services if certain conditions are met: the transportation is to the facility where the MaineCare member under 18 years of age is receiving medical services, the presence of the parent or guardian at the facility is part of the treatment plan for that MaineCare member and the costs of the transportation are eligible for matching federal funds under the federal Medicaid program. The amendment directs the Department of Health and Human Services to submit any necessary Medicaid waivers or state plan amendments to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services no later than January 1, 2020 to receive federal matching Medicaid funds for nonemergency medical transportation.

This amendment was not adopted.

LD 1079 An Act To Authorize Public Schools To Periodically Test for Radon PUBLIC 172

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WARREN C GRATWICK G	OTP-AM	H-251

This bill requires school administrative units to test schools and other buildings for radon every five years. The radon testing must comply with the United States Environmental Protection Agency's recommended testing standards for schools. A school administrative unit must notify parents, faculty and staff of the test results and must report test results to the Department of Education and the Department of Health and Human Services. The