

# 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

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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*

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.

<b>LD 1062</b>	<b>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</b>	<b>Accepted Majority (ONTP) Report</b>
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<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.

<b>LD 1079</b>	<b>An Act To Authorize Public Schools To Periodically Test for Radon</b>	<b>PUBLIC 172</b>
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<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

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

Department of Health and Human Services must report these results every five years to the Governor and the Legislature.

The bill also requires school administrative units to build new schools and buildings using radon-resistant new construction techniques as recommended by the United States Environmental Protection Agency.

### **Committee Amendment "A" (H-251)**

This amendment, which is the unanimous report of the committee, removes the requirement in the bill that school administrative units test for radon, but allows school administrative units to test for radon. It provides that any testing and new school construction must comply with rules adopted by the Department of Health and Human Services instead of recommendations of the United States Environmental Protection Agency as in the bill.

### **Enacted Law Summary**

Public Law 2019, chapter 172 allows school administrative units to test schools and other buildings for radon every five years. The radon testing must comply with the rules adopted by the Department of Health and Human Services testing standards. 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 Department of Health and Human Services must report these results every five years to the Governor and the Legislature. The law also requires school administrative units to build new schools and buildings using radon-resistant new construction techniques.

### **LD 1094     An Act To Increase Funding for the Child Welfare Services Ombudsman Program**

**PUBLIC 520**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BELLOWS S GATTINE D	OTP-AM	S-180 S-336    BREEN C

This bill provides funding for additional staffing for the child welfare services ombudsman program in the Executive Department.

### **Committee Amendment "A" (S-180)**

This amendment replaces the bill. The amendment preserves the portion of the bill that provides additional staffing for the child welfare services ombudsman program in the Executive Department and adds funding for leasing office space and purchasing necessary office supplies for the program staff. It also changes the title.

### **Senate Amendment "A" To Committee Amendment "A" (S-336)**

This amendment reduces the amount in the appropriations and allocations section to fund one additional person in the Child Welfare Services Ombudsman Program and corresponding office equipment rather than four additional persons in the original bill and committee amendment.

### **Enacted Law Summary**

Public Law 2019, chapter 520 provides funding for one additional staff person and corresponding office equipment for the child welfare services ombudsman program in the Executive Department.