

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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STATE OF MAINE

129TH 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 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

when a period of 24 months has elapsed since the Department of Health and Human Services identified a child with an elevated blood lead level from a level of blood lead of 10 micrograms per deciliter to 5 micrograms per deciliter. It adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-337)

This amendment removes the appropriations and allocations section.

Enacted Law Summary

Public Law 2019, chapter 479 provides that the lead poisoning prevention fee is repealed when a period of 24 months has elapsed since the Department of Health and Human Services identified a child with an elevated blood lead level from a level of blood lead of 10 micrograms per deciliter to 5 micrograms per deciliter.

Public Law 2019, chapter 479 was enacted as an emergency measure effective June 27, 2019.

LD 1125	Resolve, To Require Reimbursement for Bed-hold Days in Adult Family Care Homes	RESOLVE 94
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TIMBERLAKE J MORRIS J	OTP-AM	S-103

This bill requires the Department of Health and Human Services to reimburse up to 50% of the MaineCare rate for patient care for a maximum of six months to nursing homes for bad debt incurred when a patient is provided care but is determined ineligible for MaineCare and the nursing home has made all reasonable efforts to collect on the debt. The bill also requires the Department of Health and Human Services to reimburse adult family care homes for up to 30 bed-hold days per calendar year in the same manner as residential care facilities are reimbursed.

Committee Amendment "A" (S-103)

This amendment removes the section of the bill that reimburses nursing homes for bad debt incurred and changes the bill to a resolve. It changes the title to reflect the remaining provision to provide for reimbursement for bed-hold days in adult family care homes. It also adds an appropriations and allocations section.

Enacted Law Summary

Resolve 2019, chapter 94 requires the Department of Health and Human Services to reimburse adult family care homes for up to 30 bed-hold days per calendar year in the same manner as residential care facilities are reimbursed.

LD 1126	Resolve, To Classify Employee Health Insurance as a Fixed Cost for MaineCare Reimbursement in Nursing Homes	CARRIED OVER
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TIMBERLAKE J MORRIS J	OTP-AM	S-87

This resolve requires the Department of Health and Human Services to amend its rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 67, Principles of Reimbursement for Nursing Facilities no later than January 1, 2020, to move health insurance costs for personnel from direct care and routine cost components to fixed costs components. This was a majority recommendation of the Commission To Study Long-term Care Facilities, which reported in December 2013.

Committee Amendment "A" (S-87)

Joint Standing Committee on Health and Human Services

This 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 1129 An Act To Clarify Certain Provisions of the Maine Medical Use of Marijuana Act PUBLIC 217

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JORGENSEN E DESCHAMBAULT S	OTP-AM	H-346

This bill clarifies the Maine Medical Use of Marijuana Act by:

1. Standardizing the term "caregiver retail store" by creating a definition of the term and replacing other variations of "retail store" in the Act with "caregiver retail store"; and
2. Defining "municipal approval" in the provisions regarding marijuana for medical use caregiver retail stores, dispensaries and facilities operating before the effective date of the Act as a specific examination and approval of the underlying use of the store, dispensary or facility, including a conditional use approval, site plan approval or issuance of a marijuana-specific business license and not including the issuance of a building, electrical or other similar permit that does not address the use of the structure or facility for which the permit was issued.

Committee Amendment "A" (H-346)

This amendment, which is the unanimous report of the committee, provides a different definition of "caregiver retail store" and clarifies the provisions regarding municipal approval of caregiver retail stores, registered dispensaries, marijuana testing facilities and manufacturing facilities.

Enacted Law Summary

Public Law 2019, chapter 217 defines the term "caregiver retail store" and clarifies what is required for a store to receive "municipal approval."

LD 1132 An Act To Provide Additional Food Supplement Assistance for the Elderly and Persons with Disabilities ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FAY J	ONTP	

This bill requires the State to ensure that a household that includes a member who is elderly or disabled and that receives a federally funded benefit under the statewide food supplement program receives a minimum benefit of \$30 per month by providing a supplemental benefit if necessary.

LD 1134 An Act To Set Aside Funds from Federal Block Grants for Certain Communities CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN T		