

# 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*

**LD 1275 An Act To Support Access to Health Services for Homeless Youth in  
Maine**

**PUBLIC 206**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANBORN L TALBOT ROSS R	OTP-AM	S-127

Under current law, a minor who has been living separately from parents or legal guardians for at least 60 days and is independent of parental support may provide consent to all medical, mental, dental and other health counseling and services. This bill allows a minor to provide consent to all medical, mental, dental and other health counseling and services by proving that the minor is living separately and is independent of parental support through various means such as a written, signed statement to that fact from the director of a governmental or nonprofit agency that provides services to homeless persons or an attorney representing the minor or proof of filing for emancipation. This bill also provides immunity to a health care practitioner who provides services to a minor if the minor consented to those services and provided proof of living separately and independently. Finally, this bill prohibits a minor or other person from disaffirming the consent given by the minor solely because the minor is a minor.

**Committee Amendment "A" (S-127)**

This amendment clarifies that a health care practitioner who obtains documentation is immune from civil or criminal liability. It removes the language regarding consent not being subject to later disaffirmance solely by reason of the minor's age.

**Enacted Law Summary**

Public Law 2019, chapter 206 allows a minor to provide consent to all medical, mental, dental and other health counseling and services by proving that the minor is living separately and is independent of parental support through various means such as a written, signed statement to that fact from the director of a governmental or nonprofit agency that provides services to homeless persons or an attorney representing the minor or proof of filing for emancipation. It also provides immunity to a health care practitioner who obtains documentation from the minor that the minor has consented to those services and provided proof of living separately and independently.

**LD 1277 An Act To Require the Director of the Maine Center for Disease Control  
and Prevention To Be Credentialed**

**PUBLIC 523**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANBORN L GRAMLICH L	OTP-AM OTP-AM	S-101 S-339 BREEN C

This bill establishes qualifications for the Director of the Maine Center for Disease Control and Prevention within the Department of Health and Human Services, and requires that the director report annually to the joint standing committee of the Legislature having jurisdiction over health and human services matters on challenges and threats to public health and ways in which the Maine Center for Disease Control and Prevention has responded to those challenges and threats.

**Committee Amendment "A" (S-101)**

This amendment, which is the majority report of the committee, amends the qualifications for the Director of the Maine Center for Disease Control and Prevention and adds an appropriations and allocations section.

**Committee Amendment "B" (S-102)**

This amendment, which is the minority report of the committee, removes the required qualifications for the Director

*Joint Standing Committee on Health and Human Services*

of the Maine Center for Disease Control and Prevention.

This amendment was not adopted.

**Senate Amendment "A" To Committee Amendment "A" (S-339)**

This amendment strikes the appropriations and allocations section.

**Enacted Law Summary**

Public Law 2019, chapter 523 establishes qualifications for the Director of the Maine Center for Disease Control and Prevention within the Department of Health and Human Services, and requires that the director report annually to the joint standing committee of the Legislature having jurisdiction over health and human services matters on challenges and threats to public health and ways in which the Maine Center for Disease Control and Prevention has responded to those challenges and threats.

**LD 1288      An Act To Establish a MaineCare Reimbursement Rate Review Process      ONTP  
and the MaineCare Independent Rate Commission**

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

This bill establishes a process by which the Department of Health and Human Services maintains a schedule of MaineCare program reimbursement rate reviews in which each rate is reviewed at least every five years. Under this process, the department reviews a rate for access, service, quality and use of service and compares the rate reimbursed with available benchmarks, including Medicare rates and usual and customary rates paid by private parties, and uses qualitative tools to assess whether reimbursements are sufficient to allow for provider retention and recipient access and to support appropriate reimbursement of high-value services. The department is required to provide a report of its review to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs, the MaineCare Independent Rate Commission, a 24-member group of interested parties providing oversight of the rate review process, and stakeholders. After holding public meetings and consulting stakeholders and stakeholder groups and consultation with the Department of Administrative and Financial Services, Bureau of the Budget, the department makes recommendations on the MaineCare reimbursement rates to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs to assist in developing the department's budget.

**LD 1289      Resolve, To Reduce the Incidence of Infants Exposed to Illegal      ONTP  
Substances**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRAVEN M	ONTP	

This resolve requires the Department of Health and Human Services to contract for community-based outreach and education regarding family planning options and availability that is targeted toward women and adolescents who are experiencing substance use disorder, housed in correctional facilities, experiencing homelessness or living in other circumstances that indicate a need for family planning services. See LD 699.