

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

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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

This amendment replaces the resolve. It directs the Department of Health and Human Services to examine opportunities available pursuant to a home and community-based services waiver available from the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services, including, but not limited to, a Medicaid 1915(i) state plan amendment to provide housing-related services to persons experiencing chronic homelessness who have mental health or substance use disorders and other vulnerable populations.

It also directs the department to collaborate with Maine State Housing Authority to determine how resources may be leveraged more effectively to address the housing needs of persons experiencing chronic homelessness who have mental health or substance use disorders and other vulnerable populations and to consult with interested stakeholders as it conducts this review. The department must report to the Joint Standing Committee on Health and Human Services with any recommendations related to this review by no later than February 1, 2020, and the committee is authorized to report out a bill to implement the recommendations.

Enacted Law Summary

Resolve 2019, chapter 55 directs the Department of Health and Human Services to examine opportunities available pursuant to a home and community-based services waiver available from the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services, including, but not limited to, a Medicaid 1915(i) state plan amendment to provide housing-related services to persons experiencing chronic homelessness who have mental health or substance use disorders and other vulnerable populations. It also directs the department to collaborate with Maine State Housing Authority to determine how resources may be leveraged more effectively to address the housing needs of persons experiencing chronic homelessness who have mental health or substance use disorders and other vulnerable populations and to consult with interested stakeholders as it conducts this review. The department must report to the Joint Standing Committee on Health and Human Services with any recommendations related to this review by no later than February 1, 2020, and the committee is authorized to report out a bill to implement the recommendations.

LD 1337 Resolve, To Save Lives by Establishing a Homeless Opioid Users Service Engagement Pilot Project within the Department of Health and Human Services

RESOLVE 105

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GATTINE D	OTP-AM	H-429
SANBORN L	ONTP	S-340 BREEN C

This bill establishes within the Department of Health and Human Services a program to provide rapid access to low-barrier treatment for substance use disorders and stable housing to support recovery and create stability for 50 opioid users who are among the most vulnerable and unstable in the State. The bill details the program objectives, eligibility criteria for program participants and services that must be provided to those participants, including medication-assisted treatment, intensive case management services and financial and case management assistance to ensure immediate and continued access to stable housing. The bill requires an independent evaluation of the program and directs the department to submit a report to the joint standing committee of the Legislature having jurisdiction over health and human services matters regarding the program by March 15, 2020 and annually thereafter. The joint standing committee is authorized to submit legislation regarding the program.

Committee Amendment "A" (H-429)

This amendment, which is the majority report of the committee, changes the bill into a resolve. The bill established a homeless opioid users service engagement program. The amendment changes it to a pilot project that operates for 24 months. The amendment also adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-340)

This amendment provides that the Maine State Housing Authority, within its existing programs and resources, is

Joint Standing Committee on Health and Human Services

required to provide funding for costs associated with housing provided under the pilot project. This amendment also allocates funds from the Fund for a Healthy Maine rather than appropriating funds from the General Fund.

Enacted Law Summary

Resolve 2019, chapter 105 establishes a homeless opioid users service engagement program pilot project to operate for 24 months. It provides that the Maine State Housing Authority, within its existing programs and resources, is required to provide funding for costs associated with housing provided under the pilot project. It also allocates funds from the Fund for a Healthy Maine.

LD 1350 An Act To Improve Rural Health Care

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T PERRY A	OTP-AM	S-259

This bill provides that, for taxable years beginning on or after January 1, 2019, student loan payments made by a taxpayer's employer directly to a lender on behalf of a qualified health care employee are not included in federal adjusted gross income for Maine income tax purposes. The bill also directs the Department of Health and Human Services to amend its rule Chapter 101: MaineCare Benefits Manual, Chapter II and Chapter III regarding reimbursement to rural and nonrural hospitals, acute care critical access hospitals and rural health clinics.

Committee Amendment "A" (S-259)

This amendment makes the following changes to the bill.

1. It changes the reimbursement for acute care critical access hospitals to 100% for all hospital-based physician costs rather than facility and physician costs.
2. It clarifies that rural health clinics are paid under an alternative payment methodology option that is the same as the current system except for rebasing costs to 2016 and 2017 costs as long as the rural health clinics are not paid less than the current reimbursement rate.
3. It requires the Department of Health and Human Services to submit any necessary 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. Rulemaking must be completed by the department within 180 days of receiving federal approval.
4. It adds language to clarify that taxpayers cannot claim a double benefit for educational opportunity tax credits.
5. It adds an appropriations and allocations section.

The substance of this bill was incorporated into Public Law 2019, c. 530 (LD 1028 in TAX).

This bill 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.