

# 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*

### **Committee Amendment "A" (S-240)**

This amendment, which is the unanimous report of the committee, amends the bill as follows.

1. It makes the definition of "recovery" consistent with the definition of "recovery support services."
2. It allows for a short-term rental subsidy to be provided for a person in recovery so that the rental subsidy may be provided to an administrator of the recovery residence not only the person in recovery directly.
3. It removes the requirement that recovery residences provide medication-assisted treatment as a condition of receiving a short-term rental subsidy and instead requires that the recovery residences must permit medication-assisted treatment.
4. It makes the Maine State Housing Authority's rule-making authority permissive with respect to providing a short-term rental subsidy for a person in recovery.
5. It removes the appropriations and allocations section so that the short-term rental subsidy can be provided within existing budgeted resources.
6. It removes certain provisions that add "recovery" to "substance use disorder prevention and treatment" that have substantive implications beyond the scope of this legislation.
7. It adds an appropriations and allocations section.

### **Senate Amendment "A" To Committee Amendment "A" (S-345)**

This amendment removes the appropriations and allocations section.

### **Enacted Law Summary**

Public Law 2019, chapter 524:

1. Updates the definition of "recovery";
2. Allows for a short-term rental subsidy to be provided for a person in recovery so that the rental subsidy may be provided to an administrator of the recovery residence not only the person in recovery directly.
3. Requires, in order to receive a short-term rental subsidy under this law, that recovery residences must permit medication-assisted treatment; and
4. Makes the Maine State Housing Authority's rule-making authority permissive with respect to providing a short-term rental subsidy for a person in recovery.

### **LD 1526 An Act To Increase the Availability of Foster Homes**

**PUBLIC 444**

Sponsor(s)

KEIM L

Committee Report

OTP-AM

Amendments Adopted

S-178

This bill eliminates the requirement that the State Fire Marshal inspect a family foster home and certify that it meets all elements of the fire safety code before the Department of Health and Human Services may issue a license to operate as a family foster home. The bill moves the inspection responsibility to the Department of Health and

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

Human Services, which is directed to adopt rules governing the method of inspection.

### **Committee Amendment "A" (S-178)**

This amendment adds an appropriations and allocations section.

### **Enacted Law Summary**

Public Law 2019, chapter 444 eliminates the requirement that the State Fire Marshal inspect a family foster home and certify that it meets all elements of the fire safety code before the Department of Health and Human Services may issue a license to operate as a family foster home. It moves the inspection responsibility to the Department of Health and Human Services, which is directed to adopt rules governing the method of inspection.

### **LD 1539     An Act To Provide Maine Children Access to Affordable Health Care**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARNEY A MILLETT R	OTP-AM OTP-AM	H-578

This bill makes the following changes to the Cub Care program.

1. It changes the maximum eligibility level for family income from 200% of the federal poverty level to 325% of the federal poverty level.
2. It removes the three-month waiting period for enrollment in the Cub Care program following the loss of health insurance or coverage under an employer-based plan.
3. It establishes that eligibility is not subject to an asset test.
4. It provides coverage to persons 19 and 20 years of age and to noncitizens under 21 years of age. The Department of Health and Human Services is required to use state funds to fund the program but may apply for waivers or state plan amendments to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to receive federal matching funds.
5. It repeals the provisions regarding premium payments for the Cub Care program.
6. It requires the department to contract for outreach activities rather than providing them directly. The department must have a contract or contracts in place no later than January 1, 2020. The department is also required to seek federal grant funds for additional outreach activities under the federal Helping Ensure Access for Little Ones, Toddlers, and Hopeful Youth by Keeping Insurance Delivery Stable Act, Public Law 115-120 and the federal Advancing Chronic Care, Extenders and Social Services (ACCESS) Act, Public Law 115-123.
7. It requires the department to submit a state plan amendment to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to implement the use of the express lane eligibility option no later than January 1, 2020 and to implement it no later than six months after receiving approval.

### **Committee Amendment "A" (H-578)**

This amendment, which is the majority report of the committee, makes the following changes to the bill.

1. It changes the maximum eligibility level for family income from 325% of the federal poverty level to 300% of the federal poverty level.