

# 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

129<sup>TH</sup> 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 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*

**Senate Amendment "A" To Committee Amendment "A" (S-310)**

This amendment increases from one to two the number of Senators appointed to the working group and increases from one to two the number of members of the House of Representatives appointed to the working group.

**Enacted Law Summary**

Resolve 2019, chapter 100 establishes the Working Group on Mental Health to assess the State's capacity to serve Maine citizens with behavioral health needs and propose a comprehensive mental health plan for the State.

Resolve 2019, chapter 100 was finally passed as an emergency measure effective June 28, 2019.

**LD 1616 An Act To Establish the Vaccine Consumer Protection Program**

**Accepted Majority (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'CONNOR B FOLEY R	ONTP OTP-AM	

This bill establishes the Vaccine Consumer Protection Program within the Department of Health and Human Services and describes the activities under the program.

**Committee Amendment "A" (H-405)**

This amendment, which is the minority report of the committee, clarifies the activities of the Vaccine Consumer Protection Office in investigating a death that is suspected to have been caused by the administration of a vaccine. It also requires a health care provider who provides primary care to a child under the age of 18 to provide to the parent, guardian or custodian of the child a form for the parent, guardian or custodian to complete requesting the child's most recent immunization and the date of that immunization and requires the health care provider to remove the personally identifying information of the child from the form and submit it to the Vaccine Consumer Protection Office. The Vaccine Consumer Protection Office is directed to submit a report annually to the joint standing committee of the Legislature having jurisdiction over health and human services matters regarding information received on the forms and any trends. The amendment also repeals Public Law 2019, chapter 154, "An Act To Protect Maine Children and Students from Preventable Diseases by Repealing Certain Exemptions from the Laws Governing Immunization Requirements."

The amendment retains the provisions in the bill that establish the Vaccine Consumer Protection Program; establish treatment and administration guidelines for vaccines; specify a health care provider's rights to refuse to administer a vaccine and a patient's right to refuse a vaccine; prohibit incentives to administer vaccines, vaccine administration without a prescription and vaccine prescription by standing order; require an annual report on adverse event reports; provide for religious and medical exemptions; add the vaccine injury table to a provider reference manual; and require health care provider licensing boards to amend their rules to conform to the provisions in the bill, among other provisions. The amendment also adds an appropriations and allocations section.

This amendment was not adopted.

**LD 1630 Resolve, To Ensure Access to Opiate Addiction Treatment**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GIDEON S WOODSOME D		

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

This resolve directs the Department of Health and Human Services to set the weekly MaineCare reimbursement rate paid to outpatient opioid treatment providers at \$110 per week, or at a higher rate if the department determines a higher rate is justified.

Public Law 2019, chapter 343 (the biennial budget) increased the weekly reimbursement rate for medication assisted treatment.

This resolve was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

**LD 1635      Resolve, To Improve Access to Early and Periodic Screening, Diagnostic and Treatment Services for Children from Birth to 8 Years of Age      **RESOLVE 66  
EMERGENCY****

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARSON B FARNSWORTH D	OTP-AM	S-182

This resolve requires the Department of Health and Human Services, in consultation with the Department of Education, to convene the participants of the federally funded Developmental Systems Integration initiative to determine the capacity of the State to provide child find and early and periodic screening, diagnostic and treatment services to children from birth to eight years of age, the gaps in services and the costs of addressing those gaps. The report must be submitted to the Joint Standing Committee on Health and Human Services no later than December 30, 2019.

**Committee Amendment "A" (S-182)**

This amendment requires the Department of Health and Human Services to convene a stakeholder group rather than convene the participants of the federally funded Developmental Systems Integration initiative. It also adds additional requirements to the report submitted to the Joint Standing Committee on Health and Human Services.

**Enacted Law Summary**

Resolve 2019, chapter 66 requires the Department of Health and Human Services, in consultation with the Department of Education, to convene a stakeholder group to determine the capacity of the State to provide child find and early and periodic screening, diagnostic and treatment services to children from birth to eight years of age, the gaps in services and the costs of addressing those gaps. The report must be submitted to the Joint Standing Committee on Health and Human Services no later than December 30, 2019.

Resolve 2019, chapter 66 was finally passed as an emergency measure effective June 13, 2019.

**LD 1637      An Act To Prevent Medicaid Payment from a Savings Account Established under the Federal ABLÉ Act of 2014      **PUBLIC 348****

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY N RILEY T	OTP-AM	S-179

This bill:

1. Prohibits the State, or any agency or instrumentality of the State, from seeking payment from an ABLÉ account or its proceeds for MaineCare benefits provided to a beneficiary, unless otherwise required by federal law;