

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

LD 1792 An Act To Ensure Compliance with Federal Family First Prevention Services Legislation

PUBLIC 399

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MADIGAN C	OTP-AM	H-611

This bill requires the Department of Health and Human Services to adopt rules for children's residential care facilities that include procedures for fingerprint-based background checks and child abuse and neglect registry checks for all staff working in the facility to ensure compliance with the requirements governing fingerprint-based background checks contained in federal family first prevention services legislation.

Committee Amendment "A" (H-611)

This amendment strikes and replaces the bill to be consistent with criminal history record check practices. It incorporates provisions that address existing technical conflicts in the criminal history record check statutes. It also defines "staff member" to allow fingerprinting of applicants for employment as well as employees of children's residential care facilities.

Enacted Law Summary

Public Law 2019, chapter 399 requires the Department of Health and Human Services to conduct fingerprint-based background checks consistent with criminal history record check practices and child abuse and neglect registry checks for all staff members working in the facility to ensure compliance with the requirements governing fingerprint-based background checks contained in federal family first prevention services legislation. It addresses existing technical conflicts in the criminal history record check statutes.

LD 1801 An Act To Ensure Compliance with Federal Requirements for Background Checks of Certain Department of Health and Human Services Employees

PUBLIC 402

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HYMANSON P	OTP-AM	H-612

This bill amends the child support enforcement laws to implement background investigative checks for employees, prospective employees and contractors with access to federal tax information in compliance with the United States Internal Revenue Services' Publication 1075, which requires fingerprinting of all affected individuals. This bill amends provisions relating to the Department of Public Safety, Bureau of State Police, State Bureau of Identification that set forth the procedures for taking and processing fingerprints. This bill authorizes the department to adopt rules to conduct background checks. This bill also corrects a conflict created by Public Law 2017, chapters 452 and 457, which affected the same provision of law, by incorporating the changes made by both laws.

Committee Amendment "A" (H-612)

This amendment strikes and replaces the bill to be consistent with criminal history record check practices. It incorporates provisions that address existing technical conflicts in the criminal history record check statutes.

Enacted Law Summary

Public Law 2019, chapter 402 amends the child support enforcement laws to implement background investigative checks for employees, prospective employees and contractors with access to federal tax information in compliance with the United States Internal Revenue Services' Publication 1075, which requires fingerprinting of all affected individuals. It amends provisions relating to the Department of Public Safety, Bureau of State Police, State Bureau

Joint Standing Committee on Health and Human Services

of Identification that set forth the procedures for taking and processing fingerprints. It authorizes the department to adopt rules to conduct background checks. This bill also corrects a conflict created by Public Law 2017, chapters 452 and 457, which affected the same provision of law, by incorporating the changes made by both laws.

LD 1803 An Act To Update the Laws Regarding Death and Marriage Records

PUBLIC 340

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HYMANSON P	OTP	

This bill makes changes to the laws governing marriage records and the filing, correction and amendment of death records, including removing language from the statutes that describes marriage as the union of a man and a woman to conform with the laws in the State. This bill also authorizes people to record their intentions to marry with the State Registrar of Vital Statistics.

Enacted Law Summary

Public Law 2019, chapter 340 makes changes to the laws governing marriage records and the filing, correction and amendment of death records, including removing language from the statutes that describes marriage as the union of a man and a woman to conform with the laws in the State. It also authorizes people to record their intentions to marry with the State Registrar of Vital Statistics.

LD 1809 Resolve, To Increase Funding for Evidence-based Therapies for Treating Emotional and Behavioral Problems in Children

**HELD BY
GOVERNOR**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MADIGAN C	OTP-AM	

This resolve requires the Department of Health and Human Services to increase reimbursement rates for multisystemic therapy, multisystemic therapy for problem sexualized behavior and functional family therapy by 20% until June 30, 2020. It requires the department to contract for a third-party rate study of the reimbursement rates for those therapies, including developing a rate set on a per case per week basis rather than the current 15-minute increments. The rate study must also take into account the costs to providers of delivering the services, including additional training, and maintenance of fidelity to the treatment models. The rate study must be completed no later than December 1, 2019. The department must submit a report on the results of the study to the Joint Standing Committee on Health and Human Services no later than January 30, 2020. The department is authorized to implement new rates through rulemaking as long as the rates are no lower than those that exist on April 1, 2019 and the rates are approved by the federal Department of Health and Human Services, Centers for Medicare and Medicaid Services.

Committee Amendment "A" (H-500)

This amendment adds an appropriations and allocations section.

This amendment was originally adopted in both the House and Senate but subsequently removed from the resolve.