

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

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

**STAFF:**

ANNA BROOME, SENIOR LEGISLATIVE ANALYST  
ERIN DOOLING, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670  
AND  
LUKE LAZURE, SENIOR LEGISLATIVE ANALYST  
OFFICE OF FISCAL AND PROGRAM REVIEW  
5 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1635  
<http://legislature.maine.gov/legis/opla/>

**MEMBERS:**

SEN. GEOFFREY M. GRATWICK, CHAIR  
SEN. NED CLAXTON  
SEN. MARIANNE MOORE  
  
REP. PATRICIA HYMANSON, CHAIR  
REP. MARGARET CRAVEN  
REP. ANNE C. PERRY  
REP. COLLEEN M. MADIGAN  
REP. RACHEL TALBOT ROSS  
REP. MICHELE MEYER  
REP. HOLLY B. STOVER  
REP. BETH A. O'CONNOR  
REP. KATHY IRENE JAVNER  
REP. ABIGAIL W. GRIFFIN

# STATE OF MAINE

129<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



## 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 1816 An Act To Ensure the Safety and Well-being of Infants Affected by Substance Exposure**

**PUBLIC 342**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCREIGHT J	OTP	

This bill modifies reporting requirements and the Department of Health and Human Services' responsibility for establishment of a plan of safe care to include infants affected by substance use regardless of whether the mother's substance use was legal or illegal. In addition, this bill clarifies provisions regarding withdrawal symptoms so that the infant is no longer required to demonstrate withdrawal symptoms and instead is required to be affected by withdrawal symptoms. This bill also changes the requirement for the safe plan of care to require that service referrals be made not just for a mother but for any caregivers of the infant. These changes reflect changes in the federal Child Abuse Prevention and Treatment Act.

**Enacted Law Summary**

Public Law 2019, chapter 342 modifies reporting requirements and the Department of Health and Human Services' responsibility for establishment of a plan of safe care to include infants affected by substance use regardless of whether the mother's substance use was legal or illegal. It clarifies provisions regarding withdrawal symptoms so that the infant is no longer required to demonstrate withdrawal symptoms and instead is required to be affected by withdrawal symptoms. The law also changes the requirement for the safe plan of care to require that service referrals be made not just for a mother but for any caregivers of the infant. These changes reflect changes in the federal Child Abuse Prevention and Treatment Act.

**LD 1822 An Act To Protect Access to Services for Adults with Serious and Persistent Mental Illness**

**CARRIED OVER**

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

This bill establishes the right of an adult with serious and persistent mental illness who is denied access to certain services by a provider contrary to the terms of the provider's contract with the Department of Health and Human Services to seek informal department review of the provider's action and informal dispute resolution by the department to facilitate access to the service. If the adult continues to be denied access to the mental health service following department review, the adult may bring a private civil action in Superior Court for injunctive relief to enforce the terms of the provider's contract with the department. The bill requires the department to adopt routine technical rules governing the process for informal department review, which must include a definition of "adult with serious and persistent mental illness."

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

**LD 1825 An Act To Authorize Limited Disclosure of Cigarette Sales Information To Ensure Continued Receipt of Tobacco Settlement Funds**

**PUBLIC 381**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANBORN L	OTP-AM	S-268