

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
129<sup>TH</sup> LEGISLATURE  
FIRST SPECIAL AND SECOND REGULAR SESSIONS



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON HEALTH AND  
HUMAN SERVICES**

November 2020

**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  
<http://legislature.maine.gov/legis/opla/>  
AND  
LUKE LAZURE, SENIOR LEGISLATIVE ANALYST  
OFFICE OF FISCAL AND PROGRAM REVIEW  
5 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1635

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# 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 1838**    **Resolve, Requiring the Department of Health and Human Services To Examine Options for Upper Payment Limit Adjustments for MaineCare Services**

**RESOLVE 111**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP	S-369    BREEN C

This resolve was finally passed by the Legislature and then held by the Governor at the end of the First Regular Session of the 129th Legislature. It became law without signature at the beginning of the Second Regular Session.

This resolve was reported by the committee pursuant to joint order, H.P. 1266. This resolve requires the Department of Health and Human Services to examine upper payment limit options to increase the federally approved limits for services provided under MaineCare. The department may contract with any consultant or third-party organization that the department determines appropriate for this purpose. The department may also consult with any stakeholders that the department determines appropriate. The department shall report its findings, actions taken, adjustments to upper payment limits, negotiations with United States Department of Health and Human Services, Centers for Medicare and Medicaid Services and any necessary legislation to the Joint Standing Committee on Health and Human Services no later than January 15, 2020.

**Senate Amendment "A" (S-369)**

This amendment decreases funding from \$26,000 to \$13,000 to contract with a third party to examine upper payment limit options to increase federally approved limits for services provided under MaineCare.

**Enacted Law Summary**

Resolve 2019, chapter 111 requires the Department of Health and Human Services to examine upper payment limit options to increase the federally approved limits for services provided under MaineCare. The department may contract with any consultant or third-party organization that the department determines appropriate for this purpose. The department may also consult with any stakeholders that the department determines appropriate. The department shall report its findings, actions taken, adjustments to upper payment limits, negotiations with United States Department of Health and Human Services, Centers for Medicare and Medicaid Services and any necessary legislation to the Joint Standing Committee on Health and Human Services no later than January 15, 2020.

**LD 1839**    **Resolve, To Provide Sustainable Funding for Assisted Living Facilities**

**CARRIED OVER**

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

This resolve was carried over from the First Regular Session of the 129th Legislature on the Special Appropriations Table by joint order H.P. 1322.

This emergency resolve was reported by the committee pursuant to Public Law 2017, chapter 460, Part H. This resolve includes the recommendations of the sustainable funding review conducted by the Department of Health and Human Services pursuant to Public Law 2017, chapter 460, Part H. The resolve requires the Department of Health and Human Services, by July 1, 2019, to increase the total reimbursement amount by \$569,111 in each year to the seven assisted living facilities that have contracts with the department. The Department of Health and Human Services shall also amend its Section 63 rules of the Office of Elderly Services Policy Manual, 10-149 C.M.R. Chapter 5, to increase the number of medication passes per consumer per day from three to six. The rules must