

# 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

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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*

for each therapeutic class of medication used in medication-assisted treatment, except that the department may not require prior authorization for medication-assisted treatment for opioid use disorder for a pregnant woman.

**Committee Amendment "A" (H-751)**

This amendment makes the following changes to the bill.

1. It clarifies that the prior authorization limitations in the bill apply to medication-assisted treatment and intensive outpatient therapy services for a diagnosis of opioid use disorder.
2. It allows the Department of Health and Human Services to require prior authorization under the MaineCare program when a dosage increase exceeds the department's dosing criteria as identified on the department's MaineCare preferred drug list.
3. It authorizes the department to adopt routine technical rules to implement the prior authorization limitations.
4. It states that the prior authorization limitations must be applied in a manner that is not inconsistent with the requirements of the Medicaid drug rebate program.

**Enacted Law Summary**

Public Law 219, chapter 645 prohibits the Department of Health and Human Services from requiring, under the MaineCare program, prior authorization for the prescription of at least one drug for each therapeutic class of medication used for medication-assisted treatment for opioid use disorder, or for intensive outpatient therapy services for a diagnosis of opioid use disorder. Prior authorization is also prohibited for medication-assisted treatment for opioid use disorder when treating a pregnant woman. The department may require prior authorization when a dosage increase exceeds the department's dosing criteria as identified on the department's MaineCare preferred drug list. Prior authorization limitations must be applied in a manner that is not inconsistent with the requirements of the Medicaid drug rebate program.

**LD 1935      An Act To Address the Needs of Pregnant Women Affected by Opioid Use Disorder      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROBERTS T CHENETTE J	ONTP	

This bill directs the Department of Health and Human Services to administer a program to provide grants for the treatment of pregnant women with opioid use disorder. It establishes the Fund for the Treatment of Pregnant Women with Opioid Use Disorder and directs the State Controller to transfer \$1,000,000 from the General Fund unappropriated surplus to that fund.

**LD 1936      An Act To Allow Parents of Minors Who Qualify for In-home Personal Care under the MaineCare Program To Be Employed as Caregivers for Those Minors      CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RILEY T LIBBY N		

This bill allows for the reimbursement of a parent providing in-home personal care services to the parent's child by