

# $\begin{array}{c} \textbf{STATE OF MAINE} \\ 129^{\text{TH}} \text{ Legislature} \\ \textbf{First Special and Second Regular Sessions} \end{array}$



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

#### 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**

 $129^{\text{TH}} LEGISLATURE$ 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                                    | arried over to a subsequent session of the Legislature   |
|---|--|
| CON RES XXX                                     |  |
| CONF CMTE UNABLE TO AGREE                       | $\pi$ of constitutional resolution passed by both noises |
|   |  |
| DIED BETWEEN HOUSES                             |  |
| DIED IN CONCURRENCE defeated in a               |  |
| DIED ON ADJOURNMENT ac                          | tion incomplete when session ended; legislation died     |
| EMERGENCYenacted 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 ENACTMENTlegislat               | ion proposing local mandate failed required 2/3 vote     |
| HELD BY GOVERNOR Governor has not signed; fin   | al disposition to be determined at subsequent session    |
| LEAVE TO WITHDRAW                               | sponsor's request to withdraw legislation granted        |
| NOT PROPERLY BEFORE THE BODYruled               | 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   |  |
| PUBLIC XXX                                      |  |
| RESOLVE XXX                                     |  |
| VETO SUSTAINED                                  |  |
|   | Le gisidiare juilea io overnue Oovernor s velo           |

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

allowing the parent to register as a personal care agency. The child must be eligible for the MaineCare program. An individual who is not a parent of the child must be designated as the employer and must be approved as the employer by both the parent and the Department of Health and Human Services. The department is required to request the necessary state plan amendments or waivers from the federal Department of Health and Human Services, Centers for Medicare and Medicaid Services and adopt routine technical rules upon federal approval.

This bill, which had been voted but had not yet been reported out by the committee, was carried over in committee to any special session of the 129th Legislature by joint order, S.P. 788.

# LD 1937An Act To Provide Timely Access to Behavioral Health Services for<br/>Maine Children and To Address Trauma and the Impacts of the Opioid<br/>CrisisCARRIED OVER

| Sponsor(s) | Committee Report | Amendments Adopted |
|------------|------------------|--------------------|
| GRAMLICHL  | OTP-AM           | H-708              |
| FARRIN B   |                  |                    |

This bill provides funding to increase rates for adolescent rehabilitation facilities under the Department of Health and Human Services rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97, Appendix B, Principles of Reimbursement for Substance Abuse Treatment Facilities and all rates under rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 65, Behavioral Health Services and Chapter III, Section 97, Appendix D, Principles of Reimbursement for Child Care Facilities by 30% no later than July 1, 2020.

#### Committee Amendment "A" (H-708)

This amendment, which is the unanimous report of the committee, replaces the appropriations and allocations section. Instead of providing a rate increase to all rates under the Department of Health and Human Services rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 65, Behavioral Health Services, the amendment provides that the rate increase applies only to children's home and community-based treatment services under that section.

This bill was carried over on the Special Appropriations Table to any special session of the 129th Legislature by joint order, S.P. 788.

#### **LD 1938** An Act Concerning MaineCare Coverage for Donor Breast Milk

#### **CARRIED OVER**

| Sponsor(s) | Committee Report | Amendments Adopted |
|------------|------------------|--------------------|
| CRAVEN M   | OTP-AM           | H-706              |
| MOORE M    |                  |                    |

This bill requires that the Department of Health and Human Services provide reimbursement under the MaineCare program for pasteurized donor breast milk provided to an infant if a physician, physician assistant or advanced practice registered nurse signs an order stating that such milk is medically necessary and the infant is medically or physically unable to receive maternal breast milk or participate in breastfeeding or the infant's mother is medically or physically unable to produce maternal breast milk in quantities sufficient for the infant.

#### Committee Amendment "A" (H-706)

This amendment amends the bill to change the criteria by which an infant receiving MaineCare benefits may receive pasteurized donor breast milk to be consistent with the current coverage of donor breast milk under the

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

federal TRICARE program providing health insurance to uniformed service members and veterans and their families.

This bill was carried over on the Special Appropriations Table to any special session of the 129th Legislature by joint order, S.P. 788.

#### LD 1939 Resolve, To Ensure High-quality Long-term Care for Maine Veterans ONTP

| Sponsor(s) | Committee Report | Amendments Adopted |
|------------|------------------|--------------------|
| O'NEIL M   | ONTP             |                    |
| LUCHINI L  |                  |                    |

This resolve directs the Board of Trustees of the Maine Veterans' Homes to increase the required staff-to-patient ratio at Maine Veterans' Homes for long-term care to three staff to 15 patients and the Department of Health and Human Services to increase MaineCare reimbursement rates for certified nursing assistants by 10%.

## LD 1940Resolve, Directing the Department of Health and Human Services ToCARRIED OVERIncrease MaineCare Reimbursement Rates for Targeted CaseManagement Services To Reflect InflationCARRIED OVER

| Sponsor(s) | Committee Report | Amendments Adopted |
|------------|------------------|--------------------|
| MEYER M    | OTP-AM           |                    |
| SANBORNL   | ONTP             |                    |

This resolve requires the Department of Health and Human Services to amend its rules governing MaineCare reimbursement for targeted case management services to provide an increase reflecting cost increases from 2010 to 2019.

#### Committee Amendment "A" (H-750)

This amendment, which is the majority report of the committee, adds an appropriations and allocations section.

This resolve was carried over in the House to any special session of the 129th Legislature by joint order, S.P. 788.

#### LD 1943 An Act To Protect Drinking Water for Low-income Maine Residents

# Sponsor(s)Committee ReportAmendments AdoptedGRAMLICHL<br/>BLACK RImage: Committee ReportImage: Committee Report

This bill requires the Department of Health and Human Services to establish and maintain a program through the Health and Environmental Testing Laboratory offering free well water testing for low-income residents of the State. It also requires the department to review recent research regarding arsenic toxicity and levels suitable for consumption and to amend its rules to revise the maximum contaminant level for arsenic to be consistent with that research.

This bill, which had been voted but not yet reported out by the committee, was carried over in committee to any special session of the 129th Legislature by joint order, S.P. 788.

**CARRIED OVER**