

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH 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

129TH 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 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 1951 An Act To Assist Persons with Disabilities Who Are Subject to Pill Count Requirements ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MADIGAN C JACKSON T	ONTP	

This bill requires that procedures established pursuant to opioid medication policies adopted by health care entities provide accommodations for patients with disabilities who are subject to pill count requirements.

LD 1954 An Act To Amend the Laws Governing Estate Recovery under the MaineCare Program CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERRY A SANBORN L		

Under current law, the Department of Health and Human Services has a claim against the estate of a MaineCare recipient when, after the death of the recipient, it is determined that the recipient was 55 years of age or older when the person received MaineCare assistance. This bill provides that the department has a claim against the estate only for MaineCare assistance received by the person that was for nursing facility services, home and community-based services or related hospital and prescription drug services.

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.

LD 1955 An Act To Promote Cost-effectiveness in the MaineCare Program and Improve the Oral Health of Maine Adults and Children CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GATTINE D SANBORN L	OTP-AM	H-744

This bill adds comprehensive, medically necessary preventive, diagnostic and restorative dental services to the limited dental services currently available to MaineCare members 21 years of age and over. It requires the Department of Health and Human Services to work with providers of oral health care and dental services to encourage participation in the MaineCare program. It requires the department to develop educational materials and strategies for the distribution of those educational materials relating to the importance of dental services for children and the availability of the comprehensive adult dental benefit to children covered by the MaineCare program who are aging out of the program. The department is required to provide a five-year report on costs and savings relating to the comprehensive adult dental benefit to the joint standing committees of the Legislature having jurisdiction over health and human services matters and appropriations and financial affairs no later than January 1, 2026.

Committee Amendment "A" (H-744)

This amendment removes the requirement that dental services for adults under MaineCare be medically necessary because all Medicaid services are already required to be medically necessary. It also adds an appropriations and allocations section.

Joint Standing Committee on Health and Human Services

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 1957 An Act To Provide Women Access to Affordable Postpartum Care CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARNEY A MILLETTR	OTP-AM	H-704

This bill extends from 60 days to 12 months the period of time following delivery of a baby that a woman may be eligible for services under MaineCare.

Committee Amendment "A" (H-704)

This amendment amends the bill to provide that the period of time following delivery of a baby for which a woman may be eligible for services under MaineCare is six months. The amendment directs the Department of Health and Human Services to submit a waiver or state plan amendment request no later than January 1, 2021 to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to implement the provisions of this legislation that extend MaineCare coverage to a woman following delivery of a baby from 60 days to six months. The department is required to take all reasonable and necessary steps to seek approval of the waiver or state plan amendment. In the event the waiver or state plan amendment is not granted, the department is directed to implement the coverage provisions using federal funds, if allowable, and then using the General Fund. Upon approval or denial of the waiver or state plan amendment, the department is directed to adopt rules no later than 180 days after the decision of the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services. The department is required to report on a quarterly basis beginning April 1, 2021 to the joint standing committee of the Legislature having jurisdiction over health and human services matters its progress in seeking a waiver or state plan amendment until the decision by the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services has been made. The committee is authorized to report out legislation related to each report.

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 1961 An Act To Establish the Trust for a Healthy Maine CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KESCHL D SANBORN L		

This bill establishes the Trust for a Healthy Maine to receive money paid to the State pursuant to the tobacco settlement and from other sources and to distribute that money to state agencies or designated agents of the State to fund tobacco use prevention and control, ensure adequate resources for other disease prevention efforts, promote public health, plan and deliver public health and prevention programs and services, support accreditation of the Department of Health and Human Services, Maine Center for Disease Control and Prevention and support public health workforce development. The trust is governed by a board of trustees appointed by the Governor and legislative leaders.

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