

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 2056 Resolve, To Create the Frequent Users System Engagement Collaborative

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MORALES V SANBORN L		

This resolve establishes the Frequent Users System Engagement Collaborative in order to develop a plan to provide stable housing and community services to 200 persons who are homeless or at risk of homelessness who are the most frequent consumers of high-cost services, such as psychiatric hospitals, emergency shelters, emergency rooms, police, jails and prisons. The collaborative must submit a report to the joint standing committee of the Legislature having jurisdiction over health and human services matters no later than January 1, 2021 on its plan and recommendations. The joint standing committee of the Legislature having jurisdiction over health and human services matters is authorized to report out a bill to the First Regular Session of the 130th Legislature related to the report.

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 2057 An Act To Ensure an Efficient Contracting Process for the Department of Health and Human Services

PUBLIC 590

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

This bill amends the law regarding performance-based contracts entered into by the Department of Health and Human Services to give the Commissioner of Health and Human Services discretion in holding informational meetings and requiring notices of intent to bid. The bill also repeals duplicative language regarding performance-based contracts.

Enacted Law Summary

Public Law 2019, chapter 590 amends the law regarding performance-based contracts entered into by the Department of Health and Human Services to give the Commissioner of Health and Human Services discretion in holding informational meetings and requiring notices of intent to bid. It also repeals duplicative language regarding performance-based contracts.

LD 2058 An Act To Strengthen Protections for Incapacitated and Dependent Adults from Abuse, Neglect and Exploitation

PUBLIC 661

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HYMANSON P	OTP-AM	H-780

This bill specifies the categories of care providers for whom the Department of Health and Human Services must maintain a reportable event and adult protective services system. This bill requires the department to establish and maintain an adult protective services registry of persons for whom there have been substantiated reports of abuse, neglect or exploitation of dependent adults or incapacitated adults. This bill changes current law, which limits registry entries to cases in which the person abused, neglected or exploited is an adult with an intellectual disability

Joint Standing Committee on Health and Human Services

or autism, to instead include all cases involving incapacitated adults and dependent adults.

Committee Amendment "A" (H-780)

This amendment replaces the bill. It changes the references in the bill to cite the Adult Protective Services Act in the Maine Revised Statutes, Title 22, chapter 958-A when requiring that the Department of Health and Human Services include reports of persons who have exploited, abused or neglected incapacitated and dependent adults in its system as provided in Title 34-B.

Enacted Law Summary

Public Law 2019, chapter 661 requires the Department of Health and Human Services to establish and maintain an adult protective services registry of persons for whom there have been substantiated reports of abuse, neglect or exploitation of dependent adults or incapacitated adults. Previously, the registry was limited to cases in which the person abused, neglected or exploited is an adult with an intellectual disability or autism. Public Law 2019, chapter 661 extends the registry to cases involving incapacitated adults and dependent adults.

LD 2059 An Act To Clarify the Provision for Care of Infants after Birth

PUBLIC 613

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

This bill makes the following changes to the laws governing the administration of prophylactic ophthalmic ointment and vitamin K injections to infants:

1. It specifies that the incidence of inflamed or reddened eyes in an infant be reported to the infant's primary care provider rather than to an unspecified physician;
2. It removes language specifying that the ophthalmic ointment is prescribed and provided without cost by the Department of Health and Human Services; and
3. It requires the department to develop a form to be used by a parent wishing to refuse the prophylactic ophthalmic ointment or vitamin K injection that is separate from the newborn blood spot screening refusal form.

Enacted Law Summary

Public Law 2019, chapter 613 makes the following changes to the laws governing the administration of prophylactic ophthalmic ointment and vitamin K injections to infants:

1. It specifies that the incidence of inflamed or reddened eyes in an infant be reported to the infant's primary care provider rather than to an unspecified physician;
2. It removes language specifying that the ophthalmic ointment is prescribed and provided without cost by the Department of Health and Human Services; and
3. It requires the department to develop a form to be used by a parent wishing to refuse the prophylactic ophthalmic ointment or vitamin K injection that is separate from the newborn blood spot screening refusal form.