

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 2117 An Act To Expand and Rename the Controlled Substances Prescription Monitoring Program

CARRIED OVER

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

This bill amends the provisions of law governing the Controlled Substances Prescription Monitoring Program to require dispensers to report all prescription drugs dispensed intended for human consumption rather than controlled substances only, allowing the program database to be used for medication reconciliation and other patient safety activities. The enhanced program allows pharmacists and all prescribers to obtain a complete record of all medication prescribed to a patient, identifying the prescriber for each drug and listing the dates on which each prescription was filled. This information gives health care providers additional means to ensure that patients do not have adverse reactions due to incompatible drug interactions or overprescribing of medications from multiple prescribers. The program name is changed to the Prescription Monitoring Program to reflect its wider scope. The bill also directs the Department of Health and Human Services to apply for federal funds and seek other funding sources to develop the improvements to the program.

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.

LD 2119 An Act To Amend the Laws Governing the Maternal, Fetal and Infant Mortality Review Panel

PUBLIC 671

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

This bill was reported by the committee pursuant to joint rule 353 and then referred back to the committee for processing in the normal course. This bill amends the laws governing the maternal, fetal and infant mortality review panel to require the review of maternal deaths that occur within one year of giving birth. Current law requires the panel to review maternal deaths that occur within 42 days of giving birth.

Enacted Law Summary

Public Law 2019, chapter 671 requires the panel coordinator of the maternal, fetal and infant mortality review panel to review maternal deaths that occur within one year of giving birth. Previously, only maternal deaths within 42 days of giving birth were reviewed.

LD 2135 An Act To Amend the Definition of "Tobacco Product" To Exclude Matches and Lighters

CARRIED OVER

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

This bill specifies that tobacco products do not include matches, lighters or similar devices in the laws governing retail tobacco sales.

This bill, which had not yet been voted by the committee, was carried over in committee to any special session of

Joint Standing Committee on Health and Human Services

the 129th Legislature by joint order, S.P. 788.

LD 2137 Resolve, To Increase the Reimbursement Rates for Home-based Services CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BELLOWS S GATTINED		

This resolve requires that the Department of Health and Human Services amend its rules to increase reimbursement rates for certain specified home-based services.

This resolve, 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.

LD 2141 Resolve, To Ensure Continued Services for Children with Disabilities by Imposing a Delay on MaineCare Rulemaking until an Impact Study is Completed CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MEYER M JACKSON T		

This resolve imposes a delay on the adoption by the Department of Health and Human Services of any rule that proposes to change provisions of 10-144 C.M.R. Chapter 101: MaineCare Benefits Manual governing school-based services. It requires the department, before initiating rulemaking, to complete an impact study setting forth the rationale for the proposed changes, the financial impacts on affected families and providers of school-based services, potential service delays and other issues relating to state and federal law. The department is required to seek and consider input from affected provider groups, schools, children and family advocacy groups, the Department of Education, the Child Development Services System and other stakeholders and is also required to incorporate into the study the recommendations and implementation plan for early intervention services in public schools that will be forthcoming from the review of the State's early childhood special education services being carried out pursuant to Public Law 2019, chapter 343, Part VVVV. This report, produced by an independent entity, is due to be completed on December 1, 2020.

It requires the department to submit the completed study and a further report regarding any proposed rules or modifications to current rule pertaining to medically necessary school-based services to the joint standing committee of the Legislature having jurisdiction over health and human services matters no later than April 1, 2021. The joint standing committee is authorized to report out legislation relating to the subject matter of the study and the report to the First Regular Session of the 130th Legislature.

It authorizes the department, following completion of its study and report but no earlier than July 1, 2021, to initiate rulemaking to change rules governing school-based services provided under 10-144 C.M.R. Chapter 101: MaineCare Benefits Manual and specifies that any rules adopted are major substantive rules pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

This resolve, 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.