

MAINE STATE LEGISLATURE

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STATE OF MAINE
131ST LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS



Disposition of bills and summaries of all laws enacted or finally passed

**JOINT STANDING COMMITTEE ON HEALTH AND
HUMAN SERVICES**

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STATE OF MAINE
131ST LEGISLATURE
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**LEGISLATIVE DIGEST OF BILLS AND
SUMMARIES OF ENACTED LAWS**

This *Legislative Digest of Bills and Summaries of Enacted Laws* provides the disposition of all LDs and summaries of all laws enacted or finally passed during the First Regular and First Special Sessions of the 131st Maine Legislature. Please note that all LDs and proposed amendments may be found through the Legislature's webpage, and each includes a summary of what the bill or amendment proposed.

The *Legislative Digest of Bills and Summaries of Enacted Laws* is arranged alphabetically by committee. Within each committee section is a subject index of all LDs considered by that committee as well as a digest of the LDs, arranged by LD number. Also included are enacted law summaries of the LDs enacted or finally passed. Brief analyst notes on certain LDs are also included: a committee digest will indicate if additional notes are provided for an LD. These notes add information staff found useful and may provide useful information to users of this *Digest*; please note that most LDs do not have a note and lack of a note should not be interpreted as having any significance. A separate section of the *Digest* provides a digest of the relatively few LDs that were not referred to a committee or reported from a committee as a committee bill; enacted law summaries of the LDs enacted or finally passed are provided. Finally, an appendix provides a summary of relevant session statistics.

The final disposition of each LD is noted in the relevant summary digest and index. 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 and First Special Sessions of the 131st Legislature is Thursday, June 29, 2023 and Wednesday, October 25, 2023, respectively. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

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LD 81 An Act to Address Recovery Residence Participation in the Municipal General Assistance Program

ENACTED LAW SUMMARY

Public Law 2023, chapter 133 requires a municipality to issue a general assistance housing assistance payment to the operator of a certified recovery residence upon request by an eligible person rather than to a landlord, including a property owner.

Public Law 2023, chapter 133 was enacted as an emergency measure effective June 8, 2023.

LD 82 An Act to Improve Access to Children’s Behavioral Health Services

ENACTED LAW SUMMARY

Public Law 2023, chapter 83 removes the requirement that service providers contracted by the Department of Health and Human Services charge fees for services for children with mental health needs, intellectual disabilities or autism and their families.

LD 84 An Act to Strengthen Third-party Liability Requirements for the MaineCare Program

ENACTED LAW SUMMARY

Public Law 2023, chapter 162 adds third-party liability requirement provisions for MaineCare claims for payment and adds a provision to apply MaineCare assignment provisions to out-of-state carriers who provide coverage to residents of this State. It also provides that payments made under assignment to the MaineCare program by a third party are final after two years.

LD 146 An Act to Clarify Assessment of Fines for Tattoo Artists, Body Piercers, Electrologists and Micropigmentation Practitioners and to Change Requirements for the Approval of Public Pool and Spa Plans

ENACTED LAW SUMMARY

Public Law 2023, chapter 113 changes the penalty for electrologists, tattoo artists, micropigmentation practitioners and body piercers found to be in violation of licensing and sterilization, sanitation or safety standards laws and rules from a civil violation to an administrative fine. It provides that each day a violation remains uncorrected may be counted as a separate offense and requires the Department of Health and Human Services to establish a schedule of administrative penalties according to the nature and duration of the violation. It also adds the requirement that a professional engineer licensed in this State sign and seal plans for public pool and spa construction prior to submittal to the department. These plans must include a signed

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statement from the engineer that the plans and specifications meet the minimum standard published by the American National Standards Institute and the Association of Pool and Spa Professionals or a successor organization, as designated by rule.

LD 162 Resolve, to Study the Establishment of a Substance Use Disorder Hotline

ENACTED LAW SUMMARY

Resolve 2023, chapter 69 requires the Department of Health and Human Services to develop a plan to implement a hotline through the Maine Substance Use Disorders Learning Community to assist and provide guidance to primary care physicians and other providers in providing care to patients with substance use disorder. The department is required to consult with stakeholders, including members of the Co-Occurring Collaborative Serving Maine currently partnering with the department to operate the Maine Substance Use Disorders Learning Community, and to study existing models in other states. The department is required to submit a report and plan to the Joint Standing Committee on Health and Human Services no later than January 15, 2024. The plan must include funding requirements, services that would be provided, hours of operation, response times and any other relevant information to implement a hotline.

LD 181 Resolve, Requiring Progress Reports from the Department of Health and Human Services Regarding the Implementation of Secure Children's Psychiatric Residential Treatment Facility Services

ENACTED LAW SUMMARY

Resolve 2023, chapter 78 requires the Department of Health and Human Services to submit two reports to the Joint Standing Committee on Health and Human Services regarding efforts to implement secure children's psychiatric residential treatment facilities. The first report, to be submitted by January 2, 2024, relates to department progress in establishing increased rates and amending department rule Chapter 101: MaineCare Benefits Manual, Chapters II and III, Section 107. The second report, to be submitted by July 1, 2024, relates to progress in implementing secure children's psychiatric residential treatment facility services and must include information about the provider, location of the facility, number of beds and estimated or actual date of opening. If no provider has been secured, the report must include the next steps for attracting a willing provider.

LD 218 An Act to Clarify Maine Law Regarding Background Checks for the Office of Child and Family Services

ENACTED LAW SUMMARY

Public Law 2023, chapter 39 makes the following changes to the law regarding background checks for the Office of Child and Family Services.