

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
131<sup>ST</sup> 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**  
131<sup>ST</sup> 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.

## JOINT STANDING COMMITTEE ON HEALTH AND HUMAN SERVICES

### **LD 432 An Act to Clarify MaineCare Program Requirements Regarding Certain High-risk Health Care Providers**

#### **ENACTED LAW SUMMARY**

Public Law 2023, chapter 432 clarifies the MaineCare program requirements with regard to certain high-risk providers. It also requires a person with a certain level of ownership interest in a high-risk provider to submit to a fingerprint-based criminal history record background check.

### **LD 446 Resolve, to Update Allowable Limits on Mortuary Trusts for the Purposes of MaineCare Eligibility**

#### **ENACTED LAW SUMMARY**

Resolve 2023, chapter 34 requires the Department of Health and Human Services to amend its MaineCare rules to increase the amount of a prepaid burial contract, also known as a mortuary trust, unavailable for use as an asset in determining eligibility for MaineCare from \$12,000 to \$18,000 and increase that amount yearly by the same percentage as the percentage increase in the Consumer Price Index for the preceding year.

### **LD 449 An Act to Authorize the Department of Health and Human Services to License Home-based and Community-based Services for Persons with an Intellectual Disability, Autism Spectrum Disorder or a Related Condition or an Acquired Brain Injury and Define Autism Spectrum Disorder**

#### **ENACTED LAW SUMMARY**

Public Law 2023, chapter 89 requires a licensing scheme for certain firms, associations, corporations or nonprofit organizations, including residential care facilities, that provide services to an adult with an intellectual disability, autism spectrum disorder, a related condition or an acquired brain injury and specifies that residential care facilities are not required to use the standard contract for those services. It replaces the definition of "autism" with a definition of "autism spectrum disorder" or "autism." It clarifies that the State's share of MaineCare reimbursements is a factor in determining whether or not certain residential care facilities must obtain a license. It also expands the services and programs that the Commissioner of Health and Human Services is authorized to provide and help finance.

### **LD 451 An Act to Ensure Transparent and Accountable Temporary Nurse Agencies**

#### **ENACTED LAW SUMMARY**

Public Law 2023, chapter 434 makes the following changes to the law related to temporary nurse agencies.