

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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**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 1040 An Act to Require Reimbursement for Gender-affirming Care for MaineCare Members

ENACTED LAW SUMMARY

Public Law 2023, chapter 288 prohibits the MaineCare program from discriminating in its reimbursement for medically necessary treatment on the basis of a MaineCare member's gender identity, gender expression or on the basis that the MaineCare member is a transgender individual and requires that the program cover medically necessary treatment for or related to gender dysphoria.

LD 1083 An Act to Amend the Membership of the Rare Disease Advisory Council

ENACTED LAW SUMMARY

Public Law 2023, chapter 93 changes the membership of the Rare Disease Advisory Council to require one of the members who is 18 years of age or older with a rare disease to be a person who has or has had a single-gene disorder and to require one of the members who is a parent or guardian of a child with a rare disease to be a parent or guardian of a child with a single-gene disorder.

Public Law 2023, chapter 93 was enacted as an emergency measure effective May 17, 2023.

LD 1092 Resolve, to Establish an Ad Hoc Committee to Address the Commercial Sexual Exploitation of Children

ENACTED LAW SUMMARY

Resolve 2023, chapter 112 requires the Department of Health and Human Services to establish an ad hoc committee to make recommendations addressing the intervention in and prevention of commercial sexual exploitation of children. The department shall submit a report, no later than January 1, 2025, to the joint standing committee having jurisdiction over health and human services matters with any recommendations.

LD 1104 Resolve, to Review the MaineCare Hospital Readmission Protocol

ENACTED LAW SUMMARY

Resolve 2023, chapter 77 requires the Department of Health and Human Services to review its MaineCare rules regarding hospital readmissions and reimbursement for readmissions, with a focus on readmissions of patients who had previously left the hospital against medical advice and readmissions of patients with substance use disorder and those with co-occurring substance use disorder and behavioral health disorders. It requires the department to, by January 15, 2024, submit

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recommendations for statutory and rule changes regarding readmissions to the Joint Standing Committee on Health and Human Services. It requires that, in making recommendations regarding management of readmissions of patients with substance use disorder and patients with co-occurring substance use disorder and behavioral health disorders, the department employ a trauma-informed approach.

LD 1106 Resolve, to Improve the Transition to Adult Services for Children with Intellectual Disabilities and Autism Spectrum Disorder

ENACTED LAW SUMMARY

Resolve 2023, chapter 80 requires the Department of Health and Human Services to submit a report to the Joint Standing Committee on Health and Human Services on its plans to improve the transition from children's services to adult services for individuals with intellectual disabilities and autism spectrum disorder in the Improving the Transition from Children's to Adult Services pilot project funded under Section 9817 of the federal American Rescue Plan Act of 2021.

LD 1204 An Act to Improve the Health of Maine Residents by Closing Coverage Gaps in the MaineCare Program for Incarcerated Person

ENACTED LAW SUMMARY

Public Law 2023, chapter 458 does the following.

1. It requires the Department of Health and Human Services to enter into a memorandum of understanding with counties in this State that have a county jail or a regional jail in order to provide a person who is incarcerated in a county jail or a regional jail with assistance in applying for MaineCare services.
2. It directs the Department of Health and Human Services to report to the Joint Standing Committee on Health and Human Services on the progress made towards entering into a memorandum of understanding with counties in the State that have a county jail or a regional jail relating to assisting an individual with applying for benefits under the MaineCare program.
3. It directs the Department of Health and Human Services to submit a waiver under Section 1115 of the United States Social Security Act to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to cover certain services to incarcerated individuals and requires the department to provide those services if the waiver is approved and the Commissioner of Health and Human Services notifies the Secretary of State, the Secretary of the Senate, the Clerk of the House of Representatives and the Revisor of Statutes that written approval for the waiver has been received.