

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
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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 1745 An Act to Support Public Health by Clarifying Authorized Activities Regarding Drug Checking

ENACTED LAW SUMMARY

Public Law 2023, chapter 303 clarifies that persons possessing, receiving, transporting or storing drug samples for the purpose of testing or drug checking are authorized to do so.

Public Law 2023, chapter 303 was enacted as an emergency measure effective June 26, 2023.

LD 1768 An Act to Clarify the MaineCare Rate Determination Requirements

ENACTED LAW SUMMARY

Public Law 2023, chapter 238 establishes that MaineCare rate determinations are to take place no less frequently than once every five years.

LD 1781 Resolve, to Continue Case Management Services for the Homeless Opioid Users Service Engagement Pilot Project Within the Department of Health and Human Services

ENACTED LAW SUMMARY

Resolve 2023, chapter 123 requires the Department of Health and Human Services to extend the current service contract for case management services through June 30, 2024 for the homeless opioid users service engagement pilot project, as established in Resolve 2019, chapter 105.

LD 1925 An Act to Clarify and Improve the Laws Relating to the Background Check Center and the Maine Certified Nursing Assistant and Direct Care Worker Registry

ENACTED LAW SUMMARY

Public Law 2023, chapter 241 makes changes to the laws relating to the Background Check Center and the Maine Certified Nursing Assistant and Direct Care Worker Registry.

1. It amends the provisions relating to the Background Check Center, BCC, under the Maine Revised Statutes, Title 22, chapter 1691 as follows.
 - A. It authorizes the collection of biometric identifier data to enable the BCC to access national criminal history backgrounds of potential employees and to amend related grandfathering provisions.
 - B. It authorizes the portability of background check results from one employer to another.

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- C. It clarifies the relationship of the provisions to direct access workers.
 - D. It authorizes the BCC to specify offenses that disqualify an individual from employment as a direct access worker.
 - E. It establishes the BCC as the noncriminal justice submitting entity for the federal rap back monitoring program and outline procedures related to rap back monitoring.
2. It amends the provisions of law relating to the Maine Registry of Certified Nursing Assistants and Direct Care Workers in order as follows.
- A. It limits the registry's authority to the eligibility of certified nursing assistants and listing direct care workers who have substantiated findings of abuse, neglect or misappropriation of property.
 - B. It clarifies the relationship of the provisions to direct care workers.
 - C. It allows a process for a direct care worker to petition removal of a substantiated finding of neglect or misappropriation of property.
 - D. It clarifies that certified nursing assistants and direct care workers are subject to the background check required under the provisions of law governing the BCC.
 - E. It authorizes the Department of Health and Human Services to adopt rules to specify criminal convictions that disqualify a person from employment as a certified nursing assistant or direct access worker.
 - F. It removes the provisions related to the ability of applicants to seek relief relating to disqualifying criminal convictions and site that authority within the BCC.
3. It amends the provisions of law relating to unlicensed assistive persons in order to.
- A. It replaces the term "unlicensed assistive person" with "direct care worker."
 - B. It removes the provisions related to the ability of applicants to seek relief relating to disqualifying criminal convictions and site that authority within the BCC.
 - C. It provides for individuals enrolling in a training program for direct care workers to receive a background check through the BCC.