

Second Regular Session--128th Maine Legislature

Maine Hospital Association Legislative Report

1/19/2018

LD 20 An Act To Reimburse Nursing Homes for the Loss of Coinsurance and Deductibles for Skilled Nursing Beds under Rules Adopted by the Department of Health and Human Services

Sponsor: *Rep. Malaby* <http://legislature.maine.gov/LawMakerWeb/summary.asp?paper=HP0021&SessionID=12>

Health & Human Services

Committee Status:

Public Hearing:

Final Status:

This bill reverses the decision to cut "crossover" payments associated with coinsurance and deductibles for skilled nursing beds under rules adopted by the Department of Health and Human Services as required in Public Law 2013, chapter 368. The annual cost to the state is \$500K per year.

LD 31 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require That Signatures on a Direct Initiative of Legislation Come from Each Congressional District

Sponsor: *Rep. Espling* <http://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280062465>

Veterans & Legal Affairs

Committee Status:

Public Hearing:

Final Status:

This resolution proposes to amend the Constitution of Maine to require that the signatures on a petition to directly initiate legislation be of voters from each of the State's 2 congressional districts and that the number of signatures from each congressional district be not less than 10% of the total vote for Governor cast in that congressional district in the previous gubernatorial election. This resolution provides that, if the required votes are cast in favor of the proposed amendment to the Constitution, the proposed amendment becomes part of the Constitution on March 1, 2018 instead of on the date of the Governor's proclamation.

LD 105 An Act To Create a Centralized Authority To Combat Opiate Addiction in Maine

Sponsor: *Rep. Hymanson* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280062598>

State & Local Government

Committee Status:

Public Hearing:

Final Status:

This bill establishes an office within the Department of Health and Human Services to coordinate efforts in the State to combat addiction to opiates.

LD 238 An Act To Amend the Maine Medical Use of Marijuana Act

Sponsor: *Sen. Brakey* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280062797>

MARIJUANA LEGALIZATION IMPLEMENTATION

Committee Status:

Public Hearing: 1/10/2018 9:30 AM

Final Status:

This concept draft bill proposes to amend the Maine Medical Use of Marijuana Act.

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LD 310 An Act To Responsibly Implement an Adult Use Cannabis Program

Sponsor: *Sen. Brakey* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280062832>

MARIJUANA LEGALIZATION IMPLEMENTATION

Committee Status:

Public Hearing:

Final Status:

This bill is a concept draft that proposes to amend the provisions of the Marijuana Legalization Act, as enacted in Initiated Bill 2015, chapter 5.

LD 320 An Act To Provide MaineCare Coverage for Chiropractic Treatment

Sponsor: *Sen. Libby* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280062900>

Health & Human Services

Committee Status:

Public Hearing:

Final Status:

This bill requires all chiropractic services that are approved by the Board of Chiropractic Licensure and performed by a chiropractic doctor to be reimbursed under the MaineCare program. The Department of Health and Human Services may adopt routine technical rules to implement this requirement.

LD 323 An Act To Fully Fund the Waiting List for the Home and Community Benefits for Members with Intellectual Disabilities or Autistic Disorder Waiver

Sponsor: *Rep. Malaby* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280062904>

Health & Human Services

Committee Status:

Public Hearing:

Final Status:

This bill provides to the Department of Health and Human Services with \$36M in SFY 18 and \$48M in SFY 19 to fully fund the waiting list for community-based services provided under the MaineCare Benefits Manual, Chapters II and III, Section 21 relating to home and community benefits for members with intellectual disabilities or autistic disorder.

LD 384 An Act To Strengthen Maine Children's Mental Health

Sponsor: *Sen. Millett* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280062996>

Health & Human Services

Committee Status:

Public Hearing:

Final Status:

This concept draft bill proposes to require MaineCare to cover mental health treatment for a child that uses evidence-based practices, to include meetings with the parent of the child without the child present as long as the meetings are focused on the goals of the treatment.

LD 386 An Act To Establish Universal Health Care for Maine

Sponsor: *Sen. Gratwick* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280063002>

Health & Human Services

Committee Status:

Public Hearing:

Final Status:

This concept draft bill proposes to establish a single-payor, universal health care system in the State. Portions of the system will be based on the single-payor system in place in Vermont and the single-payor proposals submitted previously in Maine and Colorado. The single-payor system proposed in this bill will also be responsive to any changes made on the federal level to the federal Affordable Care Act.



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LD 401 An Act To Require Reimbursement to Hospitals for Patients Awaiting Placement in Nursing Facilities (MHA Bill)

Sponsor: *Rep. Sirocki* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280063083>

Health & Human Services

Committee Status:

Public Hearing:

Final Status:

This bill directs the Department of Health and Human Services to provide reimbursement to hospitals other than critical access hospitals for each day after the 10th day that a MaineCare-eligible individual is in the care of a hospital while awaiting placement in a nursing facility. The reimbursement is to be paid prospectively at the statewide average rate per MaineCare member day for nursing facility services. The department is directed to implement this reimbursement for days awaiting placement for a period limited to 5 years. Reimbursement is limited to a maximum of \$500,000 of combined General Fund funds and federal funds for each year of the 5-year period.

LD 411 An Act To Add Addiction to or Dependency on Opiates or Prescription Drugs to the List of Qualifying Conditions for Medical Marijuana

Sponsor: *Sen. Brakey* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280063065>

Health & Human Services

Committee Status:

Public Hearing: 1/10/2018 9:30 AM

Final Status:

This bill adds addiction to or dependency on opiates or prescription drugs to the list of qualifying conditions for medical marijuana.

LD 453 Resolve, Regarding Insurance Coverage for Alternative Therapies for Addiction and Recovery

Sponsor: *Sen. Gratwick* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280063113>

Insurance & Financial Services

Committee Status:

Public Hearing:

Final Status:

This resolve requires the Superintendent of Insurance to convene interested parties to evaluate commercial insurance coverage for addiction treatment and recovery alternative therapies and report findings and recommendations to the Joint Standing Committee on Insurance and Financial Services before January 15, 2018.

LD 470 An Act To Strengthen Maine's Hospitals and Increase Access to Health Care

Sponsor: *Rep. Michael De* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280063178>

Health & Human Services

Committee Status:

Public Hearing: 1/9/2018 1:00 PM

Final Status:

This bill, a concept draft, is unclear in purpose. It says it would be contingent upon approval by the voters of the State at referendum. It would appear to be related to Medicaid expansion.

LD 503 An Act To Continue the Doctors for Maine's Future Scholarship Program

Sponsor: *Sen. Katz* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280063187>

Labor, Commerce, Research and Economic Development Committee Status:

Public Hearing:

Final Status:

This bill is a concept draft that proposes to make a one-time General Fund appropriation of \$16 Million in fiscal year 2018-19 to the Finance Authority of Maine for the establishment of an endowment to continue the Doctors for Maine's Future Scholarship Program which provides 32 scholarships of \$25,000 each.



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LD 562 An Act Concerning the Department of Health and Human Services

Sponsor: *Rep. Hymanson* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280063302>

Health & Human Services

Committee Status:

Public Hearing:

Final Status:

This bill is a concept draft that proposes to enact or amend laws or provide for the adoption or amendment of rules concerning the Department of Health and Human Services.

LD 565 An Act To Address Maine's Opiate Addiction Crisis

Sponsor: *Sen. Chipman* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280063295>

Health & Human Services

Committee Status:

Public Hearing:

Final Status:

This bill is a concept draft that proposes to address issues related to the opiate addiction crisis in the State.

LD 605 An Act To Support Evidence-based Treatment for Opioid Use Disorder

Sponsor: *Rep. Vachon* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280063382>

Health & Human Services

Committee Status:

Public Hearing:

Final Status:

This bill provides funding for primary care patient-centered medical homes and behavioral health providers that provide evidence-based, integrated medication-assisted treatment to uninsured patients with opioid use disorder to cover costs of intensive, intermediate and long-term treatment.

LD 627 An Act To Establish a Data Collection Program To Monitor Effects of Marijuana Regulation

Sponsor: *Rep. Handy* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280063381>

Marijuana Legalization Implementation

Committee Status:

Public Hearing:

Final Status:

This bill establishes a program in the Department of Health and Human Services, CDC to collect data for the purpose of monitoring the effect on the State from the legalization and regulation of retail marijuana. Reports must be published at least annually to provide data to the Legislature, the Governor's Office and appropriate state government departments overseeing the implementation of the retail marijuana laws to be used to inform needed adjustments, law changes and rule changes to minimize the financial and social costs to the people of this State.

LD 643 Resolve, Directing the Department of Health and Human Services To Increase Reimbursement Rates for Home-based and Community-based Services

Sponsor: *Rep. Espling* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280063507>

Health & Human Services

Committee Status:

Public Hearing:

Final Status:

This resolve directs the Department of Health and Human Services to increase reimbursement rates for home-based care services consistent with the recommendations made by Burns & Associates, Inc. in its report "Rate Review for Personal Care and Related Services: Final Rate Models" dated February 1, 2016. The first half of this increase was ratified by the 127th Legislature through Public Law 2015, chapter 267.



LD 667 An Act To Repeal the Legalization of Recreational Marijuana

Sponsor: *Sen. Cyrway* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280063460>

Marijuana Legalization Implementation

Committee Status:

Public Hearing:

Final Status:

This bill repeals the Marijuana Legalization Act, which allows the commercial cultivation, sale, purchase, manufacture, possession and use of marijuana and marijuana products and the personal cultivation, possession and use of marijuana and marijuana products, and the tax that is imposed on the sale of marijuana and marijuana products, if approved by the voters at a referendum held in November 2018. The bill also amends related provisions of law.

LD 687 An Act Regarding Reimbursement for Speech and Language Pathology Services

Sponsor: *Rep. Farnsworth* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280063521>

Health & Human Services

Committee Status:

Public Hearing:

Final Status:

This bill directs the Department of Health and Human Services to provide for reimbursement for all speech and language pathology services provided by an independent speech-language practitioner at the rate that is paid to a speech and hearing agency for the same services. It also directs the department to amend its rules to increase by 10% the rates of reimbursement for all speech and language pathology services.

LD 691 An Act To Prevent Lead Poisoning in Children

Sponsor: *Rep. Golden* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280063524>

Health & Human Services

Committee Status:

Public Hearing:

Final Status:

This bill provides that as part of the Department of Health and Human Services' educational and publicity program concerning lead poisoning, the home visiting program established by the department is required to provide free home lead test kits to parents of young children living in homes built before 1978.

LD 696 An Act Regarding Insurance and Financial Services

Sponsor: *Rep. Lawrence* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280063483>

Insurance & Financial Services

Committee Status:

Public Hearing:

Final Status:

This bill is a concept draft that this bill proposes to improve the laws regarding insurance and financial services

LD 720 An Act To Provide Lung Cancer Screening for MaineCare Recipients

Sponsor: *Sen. Katz* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280063543>

Health & Human Services

Committee Status:

Public Hearing:

Final Status:

This bill requires that annual screening for lung cancer for certain recipients be reimbursed under the MaineCare program. The Department of Health and Human Services may adopt routine technical rules to implement this requirement.



LD 762 An Act To Allow a Percentage of Funds from the Medical Use of Marijuana Fund To Fund Health Care Research

Sponsor: *Rep. Sanderson* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280063698>

Health & Human Services

Committee Status:

Public Hearing: 1/10/2018 9:30 AM

Final Status:

This bill proposes to dedicate a percentage of the funds derived from the Medical Use of Marijuana Fund established in the Maine Revised Statutes, Title 22, section 2430 to a medical marijuana research fund. Under the bill, hospitals and other health care facilities may apply for grants to fund research proposals to study the medical efficacy of medical marijuana.

LD 812 Resolve, To Establish a Pilot Project To Save Lives and Support People with Substance Use Disorder in Washington County

Sponsor: *Sen. Maker* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280063656>

Health & Human Services

Committee Status:

Public Hearing:

Final Status:

This resolve establishes a pilot project in Washington County to provide treatment and recovery services for substance use disorders. It provides \$1,600,000 in funding over the 2018-2019 fiscal biennium. The Department of Health and Human Services is required to report on the planning and implementation of the pilot project to the Joint Standing Committee on Health and Human Services no later than November 30, 2018, and the joint standing committee of the Legislature having jurisdiction over health and human services matters may report out legislation to the First Regular Session of the 129th Legislature.

LD 898 An Act To Address Mandatory Overtime for Hospital Professionals

Sponsor: *Sen. Mason* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280063830>

Health & Human Services

Committee Status:

Public Hearing: 1/9/2018 1:00 PM

Final Status:

This bill prohibits a hospital from requiring employees that provide direct patient care to work more than 12 hours in any 24-hour period. This requirement does not apply to physicians or in cases of a declared emergency. An aggrieved employee may file a complaint with the division of licensing and regulatory services within the Department of Health and Human Services, which must notify the hospital involved. Hospitals must report all instances of mandatory overtime work to the division, which must adopt rules regarding the manner and schedule for this reporting.

LD 902 Resolve, To Increase Access to Evidence-based Psychosocial Treatment for Children in the MaineCare Program

Sponsor: *Rep. Malaby* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280063835>

Health & Human Services

Committee Status:

Public Hearing:

Final Status:

This resolve requires the Department of Health and Human Services to increase the MaineCare reimbursement rates for evidence-based outpatient psychosocial treatments for children to a rate that covers all costs involved with providing the service, including additional training, clears waiting lists and attracts providers to all areas of the State, including underserved rural areas. The resolve also requires the department to cover 2 additional evidence-based services known as trauma-focused cognitive behavioral therapy and parent management training programs through a request for proposals, using General Fund funds for training and hiring staff. The department and the contracted providers are required to develop a reimbursement rate for providing the service that is sufficient to allow the continued financial health of the service providers providing these therapies.



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LD 925 An Act Making Certain Appropriations and Allocations and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government

Sponsor: *Rep. Gattine* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280063887>

Appropriations & Financial Services

Committee Status:

Public Hearing:

Final Status:

Supplemental budget

LD 966 An Act To Create Mental Health Liaison Positions in Each County Jail

Sponsor: *Sen. Malaby* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280063935>

Health & Human Services

Committee Status:

Public Hearing:

Final Status:

This bill provides for a mental health liaison in each county or regional jail to oversee inmates with serious mental illness and connect them to the services for which they qualify, to work with the court system to ensure that they receive due process and speedy trials and to assist inmates who qualify for MaineCare to apply for and receive MaineCare benefits and services. This bill directs the Department of Health and Human Services to issue a request for proposals to private providers of behavioral health services and advocacy to replace intensive case manager positions within the department to staff the 15 mental health liaison positions in the county and regional jails.

LD 998 An Act To Adequately Pay for Emergency Medical Services

Sponsor: *Rep. Sanderson* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280064000>

Health & Human Services

Committee Status:

Public Hearing:

Final Status:

This bill requires the Department of Health and Human Services to work with emergency medical services providers in the State to define, and provide reimbursement under MaineCare for, community paramedicine services that do not involve transporting patients. As amended, the bill would increase ambulance rates from 65 percent of MaineCare to 70 percent of MaineCare. It removes references to community paramedics.

LD 1030 An Act To Require Nondiscrimination Policies in Providing Health Care Services

Sponsor: *Sen. Chenette* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280064019>

Insurance & Financial Services

Committee Status:

Public Hearing:

Final Status:

This bill prohibits health insurance carriers, automobile insurers and workers' compensation insurers from discriminating against health care providers who are licensed, registered or certified by the State in providing covered services as long as the providers are acting within the scope of their licenses, registrations or certifications. The bill also prohibits certain practices that may limit implementation of nondiscrimination policies.

LD 1032 An Act To Ensure Protection and Health Insurance of Patients

Sponsor: *Sen. Gratwick* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280064021>

Insurance & Financial Services

Committee Status:

Public Hearing:

Final Status:

This bill is a concept draft that proposes to enact measures designed to ensure the protection and health insurance of patients.



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LD 1063 An Act To Protect Substance-exposed Infants

Sponsor: *Rep. Hamann* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280064095>

Health & Human Services

Committee Status:

Public Hearing:

Final Status:

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to enact measures designed to enhance the protection of substance-exposed infants, which may include prevention, intervention, identification of risk and treatment of prenatal substance exposure.

LD 1133 An Act Regarding Access to Appropriate Residential Services for Individuals Being Discharged from Psychiatric Hospitalization

Sponsor: *Rep. McCreight* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280064224>

Health & Human Services

Committee Status:

Public Hearing:

Final Status:

This bill provides that, if a patient in a hospital who received treatment for a psychiatric condition and who the hospital has determined is clinically ready for discharge requests admission or readmission from the hospital to a facility operated by a residential service provider and that request is denied, the residential service provider must provide the patient the reasons for the denial in writing no later than 3 business days after the request is denied.

The bill directs the Department of Health and Human Services to develop a standardized form for use by residential service providers to state the specific reasons for denial. A residential service provider must provide the standardized form to the patient or the patient's parent or guardian or designated representative. A residential service provider must annually send to the department's division of licensing and regulatory services a report of all patients who are denied admission or readmission and the reasons given the patients that were contained in the standardized forms.

The bill allows a patient or a patient's parent or guardian or designated representative to recover \$500 from a residential service provider that violates these provisions. It also provides for the revocation of the license of a residential service provider that violates these provisions 3 times or more in a calendar year.

LD 1162 An Act To Reduce the Incidence of Obesity and Chronic Disease in Maine

Sponsor: *Sen. Libby* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280064262>

Health & Human Services

Committee Status:

Public Hearing:

Final Status:

This bill provides for reimbursement under the MaineCare program for medical nutritional therapy provided by physicians, licensed dietitians and dietitian nutritionists and reimbursement for obesity treatment medication.

LD 1189 An Act To Define the Age of Consent for Alcohol or Drug Treatment and Mental Health Services

Sponsor: *Rep. Pouliot* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280064317>

Health & Human Services

Committee Status:

Public Hearing:

Final Status:

Current law provides that a minor under 18 years of age may consent to treatment for abuse of alcohol or drugs or for emotional or psychological problems. This bill provides that a minor who is 14 years of age or older may consent to treatment for abuse of alcohol or drugs or for emotional or psychological problems and does not need the consent of a parent or guardian for such treatment. It also provides that if the parent or guardian consents to such treatment of a minor 14 years of age or older, the minor may not abrogate that consent and that if a minor 14 years of age or older consents to such treatment, a parent or guardian may not abrogate that consent.



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LD 1197 An Act to Support Substance Use Disorder Prevention, Treatment and Recovery

Sponsor: *Rep. Beebe-Cen* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280064325>

Marijuana Legalization Implementation

Committee Status:

Public Hearing:

Final Status:

This bill establishes the Fund for Substance Use Disorder Prevention, Treatment and Recovery and funds it by requiring 10% of the tax revenue from the retail sale of marijuana and marijuana products to be deposited in the fund. The fund is used for substance use disorder prevention, recovery and treatment programs administered by the Department of Health and Human Services and the Maine Center for Disease Control and Prevention. This bill specifies that the additional funding for existing programs for substance use disorder, treatment and recovery is intended to supplement, not supplant, funding appropriated for those purposes.

LD 1212 An Act To Amend the Definition of "Eligible Business Equipment" for the Purposes of the Business Equipment Tax Exemption Program

Sponsor: *Sen. Katz* <http://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280064355>

Taxation

Committee Status:

Public Hearing:

Final Status:

This bill changes the statutory location of the tax exemption for personal property occupied or used solely for its own purposes by a hospital licensed by the Department of Health and Human Services, a health maintenance organization or a blood bank. This bill moves the exemption from the statutes regarding exemption of real and personal property, since the exemption no longer applies to real property, to the definition of "eligible business equipment" for the purposes of defining personal property that is exempt from property tax under the business equipment tax exemption, or "BETE," program. The property remains exempt from taxation; the purpose of the bill is to force the state to provide municipalities with a partial reimbursement for the lost tax revenue as the state does for all other exempt personal property.

LD 1273 Resolve, To Redispend Donated Prescription Drugs

Sponsor: *Rep. Hymanson* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280064495>

Health & Human Services

Committee Status:

Public Hearing:

Final Status:

This resolve requires the Maine Board of Pharmacy to adopt rules to allow a nongovernmental organization in the State to coordinate both the donation of unused prescription drugs by nursing homes, hospitals, wholesalers and other institutional pharmacies and the subsequent redispensing of these prescription drugs at no cost to low-income residents of the State.

LD 1279 An Act To Ensure Patient Protections in the Health Insurance Law

Sponsor: *Sen. Jackson* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280064492>

Insurance & Financial Services

Committee Status:

Public Hearing:

Final Status:

This bill allows children 26 years of age and younger to remain on their parents' health insurance policy. It clarifies that carriers offering individual or group health plans may not establish lifetime or annual limits on the dollar value of benefits. It clarifies that individual, group and blanket health plans may not impose a preexisting condition exclusion on any enrollee.

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LD 1287 An Act To Strengthen Efforts To Recruit and Retain Primary Care Professionals and Dentists in Rural and Underserved Areas of the State

Sponsor: *Sen. Jackson* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280064508>

Taxation

Committee Status:

Public Hearing:

Final Status:

This bill extends through 2026 the income tax credit for eligible dentists who practice in underserved areas. With respect to the primary care access credit, the bill increases the number of primary care professionals who practice in underserved areas who may be certified for the credit and allows the credit for primary care professionals to remain in effect beyond January 1, 2019.

LD 1314 Resolve, To Improve Access to Neurobehavioral Services

Sponsor: *Rep. Malaby* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280064541>

Health & Human Services

Committee Status:

Public Hearing:

Final Status:

This resolve requires the Department of Health and Human Services to provide by September 1, 2018 16 new neurobehavioral beds in one or more neurobehavioral centers to serve individuals with significant behavioral challenges and complex medical needs who need short-term evaluation and treatment before transitioning to a long-term care environment either in the community or a long-term care facility.

LD 1327 An Act To Allow Former Military Medical Personnel To Perform Certain Medical Services

Sponsor: *Rep. Farrin* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280064571>

Labor, Commerce, Research and Economic Development Committee Status:

Public Hearing:

Final Status:

This bill allows a former United States Army medic, United States Air Force medical technician, United States Navy corpsman or United States Coast Guard health services technician to perform certain medical services under the supervision of a person holding a license to practice medicine, osteopathic medicine or podiatry or at a health care facility under a medical practice agreement approved by the respective licensing board.

LD 1388 An Act To Prohibit the Falsification of Medical Records

Sponsor: *Sen. Rosen* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280064646>

Criminal Justice & Public Safety

Committee Status:

Public Hearing:

Final Status:

This bill provides that the falsification of health care records maintained by a health care provider with the intent to deceive another person is a Class D crime except that it is a Class C crime if any reliance on the falsification causes bodily injury or the impairment of a person's mental or behavioral condition.

LD 1406 An Act To Promote Prescription Drug Price Transparency

Sponsor: *Sen. Vitelli* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280064710>

Judiciary

Committee Status:

Public Hearing:

Final Status:

This bill amends the law governing profiteering in prescription drugs. The bill requires more disclosure of drug production, research and development costs, marketing and advertising costs and actual costs paid upon purchase. The bill allows investigations by the Attorney General of violations of these provisions. The bill adds a required written report from the Attorney General each year.



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LD 1407 An Act Regarding Prescription Drug Step Therapy

Sponsor: *Sen. Rosen* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280064713>

Insurance & Financial Services

Committee Status:

Public Hearing:

Final Status:

This bill requires health insurers to establish a process for prescription drug step therapy override exception determinations.

LD 1417 An Act To Require Insurance Coverage for the Diagnosis and Treatment of Lyme Disease

Sponsor: *Rep. Fredette* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280064748>

Insurance & Financial Services

Committee Status:

Public Hearing:

Final Status:

This bill requires a carrier offering or renewing a health plan in the State to provide coverage to diagnose and treat Lyme disease.

LD 1430 An Act To Develop a Statewide Resource and Referral Center and Develop Hub-and-spoke Models To Improve Access, Treatment and Recovery for Those with Substance Use Disorder

Sponsor: *Rep. Vachon* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280064780>

Health & Human Services

Committee Status:

Public Hearing:

Final Status:

This bill establishes a statewide resource and referral center for individuals with substance use disorders and friends and family members of individuals with substance use disorders, law enforcement and providers of substance abuse treatment. It requires the Department of Health and Human Services to contract with evidence-based substance abuse treatment providers across the State to provide integrated medication-assisted treatment to individuals with substance use disorders. Hubs provide comprehensive services for acute needs, and spokes are primary care facilities that offer behavioral health services or are connected to providers of those services. The Department of Health and Human Services is directed to fund treatment for individuals without insurance and develop a rate of reimbursement that takes into account the multiple parts of treatment an individual with a substance use disorder requires in addition to medication. The Department of Labor is directed to develop a career center program to assist individuals in treatment for substance use disorders or in recovery with career planning and taking advantage of employment opportunities. The Department of Health and Human Services is directed to develop assessment measures to evaluate performance and present a report on progress, implementation and assessment to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 1, 2020.

LD 1435 An Act To Ensure Transparency in the Distribution of Federal Block Grant Funds

Sponsor: *Rep. Jorgensen* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280064809>

Health & Human Services

Committee Status:

Public Hearing:

Final Status:

This bill requires the Department of Health and Human Services annually to develop and submit to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs proposed plans for expenditures of federal block grant funds including a description of current expenditures of federal block grant funds and how the department proposes to change any expenditure. Under the bill, the department may not make an expenditure from any federal block grant unless the expenditure is recommended by the joint standing committee and approved by the Legislature. When the Legislature is not in session, the department may make an expenditure if the Commissioner of Health and Human Services determines that the expenditure is necessary to avert an emergency and provides 60 days' notice to the joint standing committee.

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LD 1517 An Act To Ensure Access to Behavioral Health Services

Sponsor: Rep. Perry <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280065008>

Health & Human Services

Committee Status:

Public Hearing:

Final Status:

This bill establishes the Behavioral Health Oversight Council to review reimbursement rate-setting for certain behavioral health services provided under MaineCare and advise the Commissioner of Health and Human Services, the Commissioner of Corrections and the Commissioner of Public Safety regarding the behavioral health system in the State. It sets out requirements for reimbursement rate-setting to be used by the Department of Health and Human Services to determine rates for certain behavioral health services provided under MaineCare. It directs the Department of Health and Human Services to amend its rules in Chapter 101: MaineCare Benefits Manual, Chapter III, Sections 13, 17, 23, 28, 65 and 97 to increase reimbursement rates by fiscal year 2018-19 to reflect a 20% increase from rates in fiscal year 2008-09.

LD 1527 An Act To Ensure Safety, Quality and Transparency in the Medical Marijuana Market and To Ensure Sufficient Funding for Regulation and Enforcement with Respect to the Retail Marijuana Industry

Sponsor: Rep. Perry <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280065023>

Health & Human Services

Committee Status:

Public Hearing: 1/10/2018 9:30 AM

Final Status:

This bill amends the Maine Medical Use of Marijuana Act in the following ways.

1. It imposes mandatory testing, labeling and record-keeping requirements on registered dispensaries. It provides that registered dispensaries are subject to inspection by the local fire department, building inspector or code enforcement officer to confirm that no health or safety concerns are present and that local health and safety ordinances apply to registered dispensaries.
2. It imposes mandatory testing, labeling and record-keeping requirements on registered primary caregivers. It provides that registered primary caregivers are subject to inspection by the Department of Health and Human Services to ensure regulatory compliance. It provides that registered primary caregivers are subject to inspection by the local fire department, building inspector or code enforcement officer to confirm that no health or safety concerns are present and that local health and safety ordinances apply to registered primary caregivers.
3. It provides that mandatory testing of medical marijuana and medical marijuana products may be conducted by testing facilities licensed under either the Maine Medical Use of Marijuana Act or the Marijuana Legalization Act.
4. It imposes a special tax of 20% on retail marijuana and retail marijuana products sold by retail marijuana stores and retail marijuana social clubs to ensure that the tax revenue generated is sufficient to fund enforcement and regulation with respect to the retail marijuana industry. It also provides that in addition to this special tax, retail marijuana and retail marijuana products are subject to the state sales tax.



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LD 1566 An Act To Enact the Maine Fair Chance Employment Act

Sponsor: *Rep. Talbot-Ros* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280065136>

Labor, Commerce, Research & Economic Development Committee Status:

Public Hearing:

Final Status:

This bill enacts the Maine Fair Chance Employment Act and adds restrictions to the use of criminal history information in the context of employment decisions by private employers and the State and its political subdivisions and of licensing decisions by licensing agencies.

It prohibits an employer from asking an applicant for employment to disclose information concerning the applicant's criminal history, or considering such information, until after the applicant has received a conditional offer of employment. It restricts the way a private employer, or the State and its political subdivisions, may use criminal history information in the course of making employment decisions and adds similar restrictions to the existing restrictions applicable to licensing agencies' consideration of criminal history information. It also makes certain criminal history information in the possession of the State and its political subdivisions confidential and makes all criminal background check information obtained by the State in connection with an employment decision confidential.

The bill also contains enforcement provisions including via the Human Rights Commission and private rights of action.

LD 1587 An Act To Provide Economic Security to Maine Families through the Creation of a Paid Family Medical Leave System

Sponsor: *Rep. Herbig* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280065254>

Labor, Commerce, Research & Economic Development Committee Status:

Public Hearing: 2/7/2018 10:00 AM

Final Status:

This bill creates a paid family medical leave program, patterned after the unpaid family medical leave program existing in current law but requiring a contribution from an eligible employee, or a self-employed person on a voluntary basis, of no more than 0.5% of the employee's or self-employed person's wages or earnings. The program requires employers to deduct the contributions from employee paychecks and for the employers and self-employed persons to submit contributions to the Department of Labor, Bureau of Unemployment Compensation, which is charged with administering the program. The program pays benefits of up to 66% of an employee's wages or self-employed person's earnings capped at the same maximum amount as unemployment benefits for leave taken by the employee or self-employed person for various family-related medical issues. This bill makes participation optional for employers that employ fewer than 15 employees. This bill also directs the Department of Labor to develop an implementation plan dealing with staffing, technology, start-up expense, rulemaking and scheduling to begin the program on its effective date of October 1, 2019.

LD 1605 An Act To Increase Consumer Prescription Drug Protections

Sponsor: *Sen. Vitelli* <http://legislature.maine.gov/LawMakerWeb/summary.asp?paper=SP0563&SessionID=12>

Judiciary

Committee Status:

Public Hearing:

Final Status:

This bill requires the Maine Health Data Organization to annually identify, upon the request of the Attorney General, prescription drugs on which the State spends significant amounts of money and for which the manufacturer's list price for the drug has increased by 50% or more over the past 5 years or 15% or more over the past 12 months. The Maine Health Data Organization is required to provide the list to the Attorney General, who must require the manufacturer of the drugs to provide a justification for the increase.

The bill also prohibits manufacturers and wholesale distributors from price gouging in the sale of essential off-patent or generic drugs. It authorizes the Attorney General to obtain data from the Maine Health Data Organization concerning increases in prices of essential off-patent or generic drugs and requires manufacturers of essential off-patent or generic drugs to submit information to the Attorney General upon request of the Attorney General.



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LD 1612 An Act To Support Maine Families through Universal Family Care

Sponsor: *Rep. Gattine* <http://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280065447>

Health & Human Services

Committee Status:

Public Hearing: 1/24/2018 9:00 AM

Final Status:

This bill establishes the Universal Family Care Program of universal child care and in-home and community support services for all individuals and families who are eligible. Eligibility for universal child care is based on the age of the child, and eligibility for in-home and community support services is based on medical eligibility.

Income is not a factor for eligibility.

The bill establishes the Universal Family Care Trust Fund, which is managed by a board composed of members who represent child care providers, home care agencies, employees of child care providers and home care agencies and consumers of child care and home care services.

The board employs professional staff and receives advice from an advisory committee composed of the Commissioner of Health and Human Services, the Commissioner of Education and the Commissioner of Labor as well as the Treasurer of State, the President of the Senate and the Speaker of the House of Representatives. Base funding for universal child care is from child care funds from the Temporary Assistance for Needy Families program and the federal Child Care and Development Fund block grant.

Base funding for universal in-home and community support services is from federal matching funding related to home and community support services and state funding for elder services provided in the home.

To complete the funding for the Universal Family Care Program, the Department of Administrative and Financial Services is directed to develop and submit to the Committee on Health and Human Services draft legislation to establish universal family care taxes. The taxes are to be structured to include 3 elements: a tax on wages that is substantially equivalent to the federal Social Security's Old-Age, Survivors, and Disability Insurance program tax, but that applies only to earnings above the annual contribution and benefit base of the federal tax; a self-employment tax applicable to taxpayers who are subject to the federal Self-Employment Contributions Act tax that is equivalent to that tax and applies to net earnings above the annual limit subject to taxation under that federal tax; and a tax equal to the wage and self-employment taxes that is imposed on unearned annual income and that applies in a manner similar to the federal Net Investment Income Tax.

The bill directs the Joint Standing Committee on Health and Human Services to report out a bill to the Second Regular Session of the 128th Legislature to establish universal family care taxes to fully fund the Universal Family Care Program.

LD 1655 An Act To Update References to the United States Internal Revenue Code of 1986 Contained in the Maine Revised Statutes

Sponsor: *Sen. Dow* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280067058>

Taxation

Committee Status:

Public Hearing:

Final Status:

This bill updates references to the United States Internal Revenue Code of 1986 contained in the Maine Revised Statutes, Title 36 to refer to the United States Internal Revenue Code of 1986 as amended through December 31, 2017 for tax years beginning on or after January 1, 2017 and for any prior tax years as specifically provided by the United States Internal Revenue Code of 1986, as amended. This bill primarily affects the State's income tax laws.

LD 1664 Resolve, Regarding Legislative Review of Portions of Chapters 126 and 261: Immunization Requirements for School Children, Joint Major Substantive Rules of the Department of Education and the Department of Health and Human Services

Sponsor: <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280067093>

Health & Human Services

Committee Status:

Public Hearing: 1/3/2018 2:30 PM

Final Status:

This resolve provides for legislative review of portions of Chapters 126 and 261: Immunization Requirements for School Children, joint major substantive rules of the Department of Education and the Department of Health and Human Services. The substance of the proposed rule is the addition of a Meningococcal vaccine to the required school entry for children entering 7th grade would further protect Maine students from contracting meningitis.



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LD 1665 An Act To Maintain Mental Health Staffing at the Dorothea Dix Psychiatric Center and Support Statewide Forensic Services

Sponsor: *Sen. Malaby* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280067108>

Health & Human Services

Committee Status:

Public Hearing: 1/24/2018 9:00 AM

Final Status:

This bill makes permanent 6 limited-period Mental Health Worker I positions and transfers funds from existing resources to fund them (\$425,000).

LD 1676 An Act To Reestablish the Office of Advocacy within the Department of Health and Human Services

Sponsor: *Rep. Denno* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280067159>

Health & Human Services

Committee Status:

Public Hearing: 1/31/2018 9:30 AM

Final Status:

This resolve provides for legislative review of portions of Chapters 126 and 261: Immunization Requirements for School Children, joint major substantive rules of the Department of Education and the Department of Health and Human Services. The substance of the proposed rule is the addition of a This bill reestablishes the Office of Advocacy, abolished in 2011, in the Department of Health and Human Services as an internal agency to protect the interests of individuals with intellectual disabilities and autism.

LD 1682 An Act To Ensure the Quality of and Increase Access to Recovery Residences

Sponsor: *Sen. Bellows* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280067165>

Health & Human Services

Committee Status:

Public Hearing: 1/17/2018 9:30 AM

Final Status:

This bill directs the Department of Health and Human Services to establish standards for recovery residences based on standards established by the National Alliance for Recovery Residences. It also authorizes the Bridging Rental Assistance Program to assist persons with substance use disorders involving opioids with housing placement in recovery residences, including residences in which residents share rooms.

LD 1685 An Act To Create The Barbara Bush Children's Hospital Registration Plate

Sponsor: *Sen. Collins* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280067173>

Transportation

Committee Status:

Public Hearing: 1/9/2018 1:00 PM

Final Status:

This bill creates a new specialty registration plate that will generate funds to support The Barbara Bush Children's Hospital at Maine Medical Center, the only full-service children's hospital in the State.

LD 1707 An Act To Reduce the Cost of Care Resulting from Blood-borne Infectious Diseases

Sponsor: *Rep. Vachon* <http://legislature.maine.gov/LawMakerWeb/summary.asp?paper=HP1187&SessionID=12>

Health & Human Services

Committee Status:

Public Hearing: 1/17/2018 9:30 AM

Final Status:

This bill provides \$75,000 in funding to support hypodermic apparatus, or syringe, exchange programs.

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LD 1709 An Act To Allow the Maine Developmental Services Oversight and Advisory Board Access to Investigations of Suspicious Deaths and Mortality Reviews Performed by the Department of Health and Human Services

Sponsor: *Rep. Parker* <http://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280067239>

Health & Human Services

Committee Status:

Public Hearing: 1/31/2018 9:30 AM

Final Status:

This bill grants the Maine Developmental Services Oversight and Advisory Board direct access to the personal planning and other records of a person receiving adult developmental services, subject to appropriate safeguards to protect the person's right to confidentiality, and grants the board direct access to the records of an investigation into the suspicious death of or the records of a mortality review pertaining to a person with intellectual disabilities or autism, subject to appropriate safeguards for the privacy of the deceased person. It also requires the Department of Health and Human Services to notify the board of any report made to a medical examiner regarding a mandated reporter's knowledge or reasonable suspicion that an adult receiving adult developmental services has died as a result of abuse or neglect.

LD 1710 An Act To Restore Maine's School-based Health Centers

Sponsor: *Rep. Handy* <http://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280067241>

Health & Human Services

Committee Status:

Public Hearing: 1/18/2018 1:00 PM

Final Status:

This bill restores \$600,000 in funding to Maine's school-based health centers to the level of funding provided in fiscal year 2016-17.

LD 1711 Resolve, To Save Lives by Establishing a Homeless Opioid Users Service Engagement Pilot Project within the Department of Health and Human Services

Sponsor: *Rep. Gattine* <http://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280067243>

Health & Human Services

Committee Status:

Public Hearing: 1/17/2018 9:30 AM

Final Status:

This resolve establishes within the Department of Health and Human Services a pilot project to provide rapid access to low-barrier treatment for substance use disorders and stable housing to support recovery and create stability for 50 opioid users who are among the most vulnerable and unstable in the State. It directs the department to implement the pilot project no later than September 1, 2018 and to report to the joint standing committee of the Legislature having jurisdiction over health and human services matters by March 15, 2019. The joint standing committee is authorized to submit legislation regarding the pilot project, including legislation to continue the pilot project, to the First Regular Session of the 129th Legislature.

LD 1712 An Act Regarding Health Care Ombudsman Services

Sponsor: *Rep. Vachon* <http://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280067244>

Health & Human Services

Committee Status:

Public Hearing: 1/16/2018 1:30 PM

Final Status:

This bill allows Medicaid contracted ombudsman support services to be expanded to support an eligible member applying for federal Affordable Care Act special enrollment health insurance coverage to be paid for by the eligible member.



LD 1714 An Act To Clarify Liability Pertaining to the Collection of Debts of MaineCare Providers by the Department of Health and Human Services

Sponsor: *Rep. Gattine* <http://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280067217>

Health & Human Services

Committee Status:

Public Hearing: 1/18/2018 1:00 PM

Final Status:

This bill clarifies requirements for the definition of an ownership or control relationship for purposes of determining when the Department of Health and Human Services may offset debts owed to the department by a provider against current MaineCare reimbursement due to that provider or an entity related to that provider. It clarifies that the department may not offset current reimbursement owed to an entity related by ownership or control to the provider unless the person whose relationship is the subject of the offset has the voting power to govern the operation of the provider owing the debt. The bill prohibits the department from imposing liability for a debt owed by a provider on any person except a provider notified in accordance with statute of the debt or a person subject to collection by offset. The bill retains the provision in current law allowing the department to recover a debt by seeking a civil penalty for a false claim.

LD 1715 An Act To Ensure Rural Patient Populations Receive Safe and Effective Health Care

Sponsor: *Rep. Stanley* <http://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280067219>

Health & Human Services

Committee Status:

Public Hearing: 1/16/2018 1:30 PM

Final Status:

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to ensure that patient populations located in rural areas of the State receive safe and effective health care by placing certain reporting and approval requirements on an acute care or critical access hospital that is considering closure or terminating or reducing services. Any such hospital would need to provide at least 6 months' notice to the joint standing committee of the Legislature having jurisdiction over health and human services matters prior to the planned date of closure of the hospital or the termination or reduction of services. The hospital would also need to provide a study to the committee conducted by an independent 3rd party describing the impact of the closure or the termination or reduction of services on the patient population. Any closure or any termination or reduction of services would require approval prior to taking effect.

LD 1717 An Act To Clarify the Authority of the Chief Medical Examiner To Properly Dispose of Abandoned Human Remains

Sponsor: *Rep. Moonen* <http://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280067224>

Judiciary

Committee Status:

Public Hearing: 1/18/2018 1:00 PM

Final Status:

This bill authorizes the Chief Medical Examiner to assume responsibility for the disposal of abandoned human remains that are the subject of a medical examiner case if no one takes custody and control of them 30 days after an autopsy or necessary examination has taken place. It also directs the Office of Chief Medical Examiner to charge \$100 per year, per case for forensic preservation of body fragments and fluids.

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LD 1719 An Act To Implement a Regulatory Structure for Adult Use Marijuana

Sponsor: *Rep. Pierce* <http://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280067229>

Marijuana Legalization Implementation

Committee Status:

Public Hearing: 1/9/2018 1:00 PM

Final Status:

This Part amends the tax laws as follows.

1. It provides for a 10% sales tax on adult use marijuana and adult use marijuana products to be imposed at the point of final sale to a consumer by a marijuana store or marijuana social club.
2. It stipulates that all the revenue resulting from the imposition of the sales tax on adult use marijuana and adult use marijuana products must be deposited into the General Fund, except that:
 - A. Five percent of all monthly tax revenue generated within a municipality by all marijuana stores and marijuana social clubs within that municipality must be distributed to that municipality;
 - B. One percent of the total monthly tax revenue generated statewide must be distributed in equal amounts to each municipality that had a cultivation facility, products manufacturing facility, marijuana store or marijuana social club in operation within the municipality during the prior month; and
 - C. Twelve percent of the remaining total monthly tax revenue after the distribution to municipalities under paragraphs A and B must be transferred to the Adult Use Marijuana Public Health and Safety Fund

LD 1730 An Act To Remove Veterinarians from the Controlled Substances Prescription Monitoring Program

Sponsor: *Sen. Hamper* <http://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280067177>

Health & Human Services

Committee Status:

Public Hearing: 1/24/2018 9:00 AM

Final Status:

This bill eliminates the requirement that veterinarians check prescription monitoring information under the Controlled Substances Prescription Monitoring Program upon prescribing certain medications, including opioids. It also changes the continuing education requirement to require a veterinarian who prescribes opioid medication to successfully complete 3 hours of continuing education every 2 years on the administration, prescription and management of controlled substances. Current law requires such a veterinarian to successfully complete 3 hours of continuing education every 2 years on the prescription of opioid medication.

LD 1735 An Act To Authorize Regional Medical Control Committees To Have Access to Maine Emergency Medical Services Data for Purposes of Quality Improvement

Sponsor: *Pres. Thibodeau* <http://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280067183>

Criminal Justice & Public Safety

Committee Status:

Public Hearing:

Final Status:

This bill, which is emergency legislation, authorizes a regional medical control committee that has been approved by the Department of Public Safety, Emergency Medical Services' Board to carry out a plan of quality improvement to have access to data collected by Maine Emergency Medical Services that allows identification of persons receiving emergency medical treatment for the purpose of quality improvement.

LD 1737 An Act To Preserve Medication Management for Persons with Mental Health Needs

Sponsor: *Sen. Breen* <http://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280067185>

Health & Human Services

Committee Status:

Public Hearing:

Final Status:

This bill provides \$1.1 M in state funding for a 25% rate increase for the medication management services provided under the Department of Health and Human Services, rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 65: Behavioral Health Services.



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LD 1742 Resolve, To Support Vulnerable Seniors by Funding Assisted Living Programs

Sponsor: *Sen. Dill* <http://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280067189>

Health & Human Services

Committee Status:

Public Hearing: 1/16/2018 1:30 PM

Final Status:

This resolve provides \$500,000 in additional funding for the provision of assisted living services at facilities currently operating at a loss, including, but not limited to, facilities in Bangor, Millinocket, Camden and Sanford. It directs DHHS to conduct a review of possible ways to stabilize funding for affordable assisted living facilities that contract with the office of aging and disability services within the Department of Health and Human Services, including permanent increases to existing funding levels, paying the medical costs of certain residents until they are eligible for MaineCare coverage, a practice known as Rate Code 53 spending, and designating facilities as private nonmedical institutions. It directs the department to report back with its recommendations to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 11, 2019.

LD 1757 An Act To Protect Maine's Economy by Slowing the Rate at Which the State's Minimum Wage Will Increase and Establishing a Training and Youth Wage

Sponsor: *Rep. Stetkis* <http://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280067253>

Labor, Commerce, Research and Economic Development Committee Status:

Public Hearing: 1/24/2018 10:00 AM

Final Status:

This bill affects the minimum wage by:

1. Reducing the minimum wage from \$10 per hour to \$9.50 per hour beginning June 1, 2018;
2. Reducing the amount by which the minimum hourly wage rates are scheduled to increase annually on January 1st from 2019 to 2021 from \$1 per year to 50 cents per year, and decreasing from \$12 to \$11 the minimum hourly wage rate required to be paid in 2021;
3. Eliminating the cost-of-living adjustment to the minimum wage; and
4. Establishing a training minimum wage for employees 18 years of age or older and under 20 years of age for the first 90 days of employment and a youth minimum wage for employees under 18 years of age.

LD 1762 An Act To Ensure Sustainable Health Care Access in the Jackman Region

Sponsor: *Rep. Grignon* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280067303>

Committee Status:

Public Hearing:

Final Status:

This bill appropriates \$495,000 to the Jackman Community Health Center to ensure sustainable health care access in the Jackman region.

LD 1763 An Act To Authorize Certain Health Care Professionals Who Are Not Physicians To Perform Abortions

Sponsor: *Rep. McCreight* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280067304>

Committee Status:

Public Hearing:

Final Status:

This bill allows a physician assistant or an advanced practice registered nurse licensed as such in this State to perform abortions, in addition to a licensed allopathic or osteopathic physician



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LD 1768 An Act To Reduce Impairment on the Job and Improve Workplace Safety by Amending the Laws Governing Employment Practices Concerning Substance Use Testing

Sponsor: *Sen. Volk*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280067287>

Committee Status:

Public Hearing: 1/31/2018 10:00 AM

Final Status:

This bill, which has been filed several times, makes changes to the laws governing employment practices concerning substance abuse testing, including the following.

1. It replaces the phrases "substance abuse test" and "substance abuse testing" with "substance use test" and "substance use testing" to reflect current usage.
2. It repeals a section of law that addresses nuclear power plants since there are no operating nuclear power plants in this State.
3. It narrows the definition of "employee" and provides that a full-time employee is an employee who works at least 36 hours a week.
4. It authorizes an employer that has employees subject to a federally mandated substance use testing program to extend federal drug testing activities to its entire workforce in order to maintain a single testing program and specifies that the employer must prepare a substance use testing plan for employees who are not federally regulated, provide a copy of the plan to the employees and the Department of Labor before testing, follow federal notification and procedural protocols for such employees and annually report the results of testing to the department.
5. It streamlines the current substance use testing policy approval by requiring the Department of Labor to develop a uniform impairment and substance use testing policy applicable to all employers. Employers must certify their adoption of the policy and be approved by the Department of Labor prior to conducting substance use testing.
6. It removes the "probable cause" standard and replaces it with an "impairment detection" standard required before the employer may conduct substance use testing. For employers authorized to conduct substance use testing, only an employer or employee approved for impairment detection by the Department of Labor or a licensed physician or nurse may make an impairment detection. This detection may be based on a single work-related accident, unlike the "probable cause" standard under current law. The employer may immediately remove the employee from the workplace pending resolution of the impairment detection.
7. It adds an "impairment determination" process that may be used as an alternative or in addition to a substance use test. Under this process, an occupational health care provider conducts a medical review in order to confirm the impairment detection, which may include a substance use test that includes testing for prescription drugs. If the impairment is confirmed, the employer may take employment action including firing or disciplining the employee, subject to any limitations under the Maine Human Rights Act and any other state or federal law. If the occupational health care provider finds that the employee was not impaired or that such impairment did not pose a safety risk, the employee is entitled to full reinstatement to the employee's position.
8. It adds a violation of an established drug-free workplace policy as grounds for employment action and provides for a treatment period of 12 weeks at the employee's expense.
9. It eliminates the requirement that, prior to establishing a substance use testing program, an employer with over 20 full-time employees have a functioning employee assistance program and instead authorizes employers to have an employee assistance program.
10. It expands the number of establishments that may undertake companywide random substance use testing by authorizing such testing for companies with 10 or more employees instead of with 50 or more employees, as is the current standard.
11. It provides that a confirmed positive substance use test may be reported to the employee only by a medical review officer and allows an employee to provide a legitimate medical explanation for a positive test result for legally obtained medications, preventing the medical review officer from reporting a positive test for that substance to the employer.
12. It allows testing laboratories to use federal testing standards.
13. It adds a new civil violation for any employer noncompliance with the substance use testing laws, for which a fine of not more than \$500 for the first violation, \$750 for the 2nd violation and \$1,000 for the 3rd and subsequent violations may be adjudged.



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LD 1769 An Act To Conform the Laws Regarding a Salaried Employee Who Is Exempt from Overtime and Minimum Wage Requirements to Federal Law

Sponsor: *Sen.. Volk* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280067288>

Committee Status:

Public Hearing: 2/1/2018 1:00 PM

Final Status:

This bill amends the description of a salaried employee for the laws governing limits on mandatory overtime and the definition of "employee" in the laws governing minimum wages to conform with the federal guidelines established by the United States Department of Labor under the federal Fair Labor Standards Act. It sets the minimum salary at the threshold established by the United States Department of Labor under that Act. It eliminates the requirement that the salary threshold be tied to the state minimum wage.

LD 1775 An Act To Further Delay the Implementation of Certain Provisions of the Marijuana Legalization Act

Sponsor: *Sen. Katz* <http://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280067314>

Marijuana Legalization Implementation

Committee Status:

Public Hearing: 1/19/2018 9:00 AM

Final Status:

This bill further delays, until May 1, 2018, the effective date of those provisions of the Marijuana Legalization Act that were delayed until February 1, 2018 by Public Law 2017, chapter 1.

LD 1778 Resolve, Regarding Medicaid Reimbursement for Rehabilitation Hospitals

Sponsor: *Rep. Jorgensen* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280067335>

Committee Status:

Public Hearing:

Final Status:

This resolve directs DHHS to increase the Medicaid reimbursement rate provided to rehabilitation hospitals. This increase in the Medicaid reimbursement rate must be funded using existing hospital reimbursement resources and have no net cost to the General Fund, Other Special Revenue Funds or the Federal Expenditures Fund.

MHA



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