

129th Legislature – Bill Titles Pertaining to ID/DD

Reviewed at the February 11, 2019 meeting of the Maine Coalition for Housing and Quality Services

Information for context:

- Bills that do not have LD numbers listed are bill titles that have been submitted by legislators, but have not emerged from the Revisor's office as of 2/11/19.
 - Bill summaries for bills that have LD numbers, for which they were available, are included for reference and informational purposes, and taken directly from the bill itself.
 - Information from Jennifer Putnam's presentation at the 2/9 Coalition meeting is noted as such, indented, and italicized for reference.
 - More information on bills can be found by [clicking this link](#), where you can search for bills by LD number, or do an advanced search based on bill sponsor and/or title.
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- An Act To Provide Flexibility in the Treatment Modalities of Individuals with Intellectual Disabilities or Autism – Rep. Handy
- An Act To Address the Needs of Children with Intellectual Disabilities and Pervasive Developmental Disorders – Rep. Holly Stover
- An Act To Fund Training for Parents from the Maine Parent Federation – Rep. Dick Farnsworth
- An Act To Strengthen Supports for Adults with Intellectual Disabilities and Autism in Crisis – Rep. Dale Denno
- An Act To Require Periodic Review of Provider Rates – Sen. Heather Sanborn
- An Act Regarding Rate Parity within Waiver Programs Administered by the Department of Health and Human Services – Rep. Charlotte Warren
- An Act To Enhance and Improve the Maine Developmental Services Oversight and Advisory Board – Rep. Dale Denno.
 - *Information from Jennifer Putnam's presentation at the 2/9 Coalition meeting: The MDSOAB also submitted a bill which would strengthen the language regarding the MDSOAB in statute. Currently there are only four appointed members of the MDSOAB, because the previous Governor would not appoint members to the board when terms expired. The MDSOAB cannot be a functioning board, nor can its Executive Director function ably, without sufficient members. There are a lot of wonderful people who come to meetings but are not voting members.*
- LD 373, An Act To Provide MaineCare Coverage for Dental Services to Adults with Intellectual Disabilities or Autism Spectrum Disorder – Rep. Denise Tepler
- An Act To Expand Access to Home Services for Elderly Persons and Persons with Disabilities – Rep. Janice Cooper
- An Act To Support Maine Families by Providing for Transportation of Family Members of MaineCare Recipients to Their Appointments – Rep. Colleen Madigan
- An Act To Mitigate the Increasing Waitlist for Services for Section 21 Waivers – Rep. Beth O'Connor
- Resolve, To Develop a Plan To Improve Service Delivery to Individuals Receiving Medicaid Home and Community-based Services – Rep. Dick Farnsworth
- LD 99, Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 29: Allowances for Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder, a Major Substantive Rule of the Department of Health and Human Services (Emergency) – Rep. Patty Hymanson
 - *Information from Jennifer Putnam's presentation at the 2/9 Coalition meeting: This is the final adoption of the rate increases from last session.*
- LD 282, Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 21: Allowances for Home and Community Benefits for Adults with Intellectual Disabilities or Autism Spectrum Disorder, a Major Substantive Rule of the Department of Health and Human Services (Emergency) – Rep. Patty Hymanson

- Information from Jennifer Putnam's presentation at the 2/9 Coalition meeting: This is the final adoption of the rate increases from last session.
- LD 399, An Act To Align Wages for Direct Care Workers for Persons with Intellectual Disabilities or Autism with the Minimum Wage – Rep. Margaret Craven
- LD 653, Resolve, To Establish the Task Force to Study Opportunities for Improving Home and Community-based Services – Rep. Cooper. This resolve would establish the Task Force To Study Opportunities for Improving Home and Community-based Services. The task force membership consists of Legislators, representatives of entities knowledgeable about or involved in home and community³⁶ based services, one provider of such services, one recipient of such services, the Commissioner of Health and Human Services, the Commissioner of Labor and one member of the public. The task force's duties include examination and review of the unmet need for home and community-based services, adequacy of the workforce providing home and community-based services, current systems for delivering home and community-based services and reimbursement arrangements in the home and community-based services sector. The task force is required to publish an interim report by October 15, 2019 and then seek input from stakeholders around the State. The task force must report its findings and recommendations, including any necessary implementing legislation, to the Joint Standing Committee on Health and Human Services by December 15, 2019. **Public Hearing:** HHS Committee, Monday, February 25, 2019 12:00 PM, Cross Building, Room 209.
- LD 600, An Act To Achieve Mental Health Parity in Workers' Compensation – Sen. Shenna Bellows. This bill changes the standard of proof required to demonstrate entitlement to compensation for a mental injury caused by stress so that it is the same standard as is required with respect to physical injuries. In addition, this bill specifies that a work related injury that aggravates a preexisting mental condition may result in a compensable disability, just as aggravating a preexisting physical condition may.
 - Information from Jennifer Putnam's presentation at the 2/9 Coalition meeting: It could be interesting to see how this progresses, as direct service professionals (DSPs) certainly have very stressful jobs. We'll be keeping an eye out for this.
- LD 593, Resolve, To Stabilize the Behavioral Health Workforce and Avert More Expensive Treatments (Emergency) – Sen. Cathy Breen. This resolve provides funding to increase rates by 8% in rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 65, Behavioral Health Services. The resolve also specifies that the increase in reimbursement rates must be applied to wages and benefits for employees who provide direct care services and not to administrators or managers and that to qualify for the rate increase an agency providing services must demonstrate, to the satisfaction of the Department of Health and Human Services, that an increase in wages and benefits has been granted to employees providing direct care services that equals the amount of the projected increase in reimbursement to be received.
- LD 439, Resolve, Directing the Commissioner of Health and Human Services To Convene a Task Force To Study the Need for Long-term Acute Care Hospital – Sen. Ned Claxton.
- LD 670, An Act To Increase the Minimum Wage for Large Employers – Rep. Ben Collings. This bill increases the minimum wage of the employees of employers employing 50 or more full-time employees to \$13.00 on January 1, 2021, to \$14.00 on January 1, 2022 and to \$15.00 on January 1, 2023.
 - Information from Jennifer Putnam's presentation at the 2/9 Coalition meeting: This will be a bill providers will be watching, as it could be very complicated and confusing. It could be confusing to have an agency that employ 45 staff only have to pay \$12 per hour, and another agency with a few more staff having to pay \$15 per hour.
- LD 410, An Act To Eliminate the Subminimum Wage for Workers with Disabilities and Agricultural and Tipped Workers – Rep. Heidi Brooks. This bill eliminates current exemptions from the minimum wage law that allow the payment of wages at less than the minimum wage rate to individuals employed in certain agricultural jobs, to individuals employed in service jobs in which tipping is customary and to certain individuals with disabilities, effective October 1, 2019. **INDEFINITELY POSTPONED, Placed in Legislative Files (DEAD).**
 - Information from Jennifer Putnam's presentation at the 2/9 Coalition meeting: This bill is unfortunately dead, as the Legislature voted for it to be indefinitely postponed. The bill coupled eliminating subminimum wage for people with disabilities with eliminating the tip credit.

- LD 512, Resolve, To Create the Task Force To Study and Plan for the Implementation of Maine's Early Childhood Special Education Services – Rep. Dick Farnsworth. This resolve establishes the Task Force To Study and Plan for the Implementation of Maine's Early Childhood Special Education Services to examine the national trends and relevant models of governing and delivering early childhood special education systems and the short-term and long-term costs and benefits to the Department of Education's proposed plan to restructure the Child Development Services System and to make recommendations for an early childhood special education services program plan.
- LD 692, Resolve, To Address Reimbursement Rates for Licensed Clinical Social Workers under MaineCare – Rep. Lori Gramlich. This resolve directs the Department of Health and Human Services to amend its rule Chapter 101: MaineCare Benefits Manual, Chapter III to increase reimbursement rates for counseling services provided by licensed clinical social workers to no less than the lowest reimbursement rate for the same counseling services paid by an insurance carrier licensed in this State. The rules are routine technical rules and must be amended no later than January 1, 2020.
- LD 408, Resolve, To Improve Access to Neurobehavioral Services – Rep. Charlotte Warren. This resolve requires the Department of Health and Human Services to provide by September 1, 2020, 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 in either the community or a long-term care facility. **Public Hearing:** HHS Committee, Wednesday, February 20, 2019 1:00 PM, Cross Building, Room 209.
- LD 615, An Act To Protect the Integrity of the MaineCare Program – Rep. Patty Hymanson. This bill provides that, without authorization from the Legislature by proper enactment of a law, the Department of Health and Human Services may not implement changes in the Medicaid program or the federal State Children's Health Insurance Program that significantly change enrollment in the program, the category or scope of covered services or the funding mechanisms for the program, unless required by federal law.
 - *Information from Jennifer Putnam's presentation at the 2/9 Coalition meeting: This would protect MaineCare recipients from the 1115 waiver proposal, block granting of the program, or anything that might reduce the number of people covered.*
- LD 45, An Act To Amend the Law Regarding Maine's Background Check Center – Rep. Patty Hymanson. This bill grants the Department of Health and Human Services the authority to request state and national criminal history records, including fingerprint-based criminal history records, for direct access workers undergoing a background check under the Maine Background Check Center Act.
 - *Information from Jennifer Putnam's presentation at the 2/9 Coalition meeting: It is currently \$56 per background check in the Maine Background Check Center; this doesn't include other background checks that are required (adult protective services and child protective services). There is a worry amongst providers that though this sounds like a great idea, that requiring fingerprinting could be another unfunded mandate.*