Legislative Update
Nursing & Health Care Policy

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Legislative Calendar

• The Legislature meets on a two year calendar, the first session of the 127th legislature (2015) is the long session and we are in the second session (2016) a shorter session that should end in April.

• All legislative seats are up for election in November 2016
127th Legislature

- House - Democratic Majority  Senate - Republican Majority

- 2/3 Majority: House 99 Votes, Senate 23 Votes
  - House: 151 Total Members
    - Democrats 79 Seats, Republicans 68 Seats, 2 Independents, 2 Unenrolled and 3 Tribal
  - Senate: 35 Total Members
    - Democrats 15 Seats, Republicans 20 Seats
Maine’s Nurse Legislator

Representative Christine Burstein (D) District 96 – Lincolnville
161 Narrows Road, Lincolnville, ME 04849

Committees: Joint Standing Committee on Health and Human Services; she is a nurse practitioner and holds degrees from University of Maine at Augusta and Columbia University.

Representative Burstein is Maine’s only nurse serving in the Legislature.
House Leader

- Speaker of the House – Representative Mark Eves (D)
  No. Berwick
  - Forth Term in the Legislature
  - Second Term as Speaker
  - Formerly Ranking Member on Health & Human Services
Senate Leader

- President of the Senate – Michael D. Thibodeau (R)
- 3\textsuperscript{rd} term in the Maine Senate
- Represents District 11 Waldo County
Executive Branch of Government

- Governor Paul LePage leads the Executive Branch of Maine State Government
  - Key Executive Leaders Impacting Health Care
    - Mary Mayhew, Commissioner DHHS
    - Anne Head, Commissioner OPFR (Professional Boards)
    - Eric Cioppa, Insurance Superintendent
    - Bill Beardsley, Acting Commissioner of Education
First Session

- The first session of the 127th Legislature sets the stage for where we are today.
2015 DHHS Budget Proposal

- MHA Estimates Net Impact is a $55 Million Reduction EACH YEAR
- Cuts in Payment for Hospital Employed Physician Services
- Cuts to Critical Access Hospitals
- Elimination of MaineCare Coverage for Methadone Treatment
- Cuts in Payment for Hospital Outpatient & Mental Health Services
- Cuts to Healthy Maine Partnerships and Public Health
- Reduced Eligibility for Drugs for the Elderly
- Reduced Emergency Room payment for certain non emergent conditions
Final Outcome

- Municipal Revenue Sharing at 2%
- Increased Nursing Home Funding $8 Million per Year
- 4% Increase for PNMI’s
- 50% Reduction in MaineCare Health Home Funding (A&B)
- Reduction in Hospital Emergency Room Payment for Certain Non Emergent Conditions
- Phasing out of Itemized Tax Deductions (Charitable Contributions)
Bills of Interest Passed

- Study of Hospital Long Stay Patients needing Community Placement
- Involuntary Commitment Law Changes
- Retroactive Payment for Hospitals
- Expansion of Options for Telemedicine
- Funding for LTC Home Based Care
- **Carry Over** Funding for Acute Home Care Services
- **Carry Over** Licensing for Lay Midwives
- **Carry Over** LD 633 MaineCare Expansion
Bills of Interest Rejected

• Municipal Service Fees for Not for Profit Organizations
• MaineCare Expansion
• Advanced Practice Registered Nurse Compact
• Vaccine Bills
• Physician Assisted Suicide
• Hospital Medical Marijuana
LD 155 Recommendations

• New Gero-Psych Unit North or East of Waterville
• Pay Hospitals Day Awaiting Placement Rate
• LTC Ombudsman Positions to work with Hospital Difficult to Place Patients
• DHHS Nurse Education Consultant
• Enhanced Rates for Home Care (DEAD)
• Nursing Facility Data Collection
• Study Group to Continue
• 10 new drug enforcement agents ($1.2M over 2 years);
• Pilot programs to facilitate pathways to treatment ($100K over 2 years);
• A 10-bed detoxification center in ‘northern or eastern’ Maine ($900K over 2 years);
• Multi-dimensional RFI for services ($700K over 2 years); (i) the establishment and expansion of peer support recovery centers, (ii) the coordination and provision of substance abuse treatment and recovery programs, (iii) prevention and education in schools and communities and (iv) the maintenance of a publicly available directory of resources.
• Residential treatment for the uninsured ($600K over 2 years);
• Outpatient treatment for the uninsured ($200K over 2 years).
LD 1646 Opioid Prescribing

- Governor’s bill amended by HHS Committee – unanimous ought to pass
- New Scripts 7 days, ongoing 30 days
- 100 Morphine Milligram Equivalent cap for new scripts
- Legacy Patients 7/17  300 MME Cap
- Medical Necessity to exceed cap
- Mandatory Check of Prescription Monitoring Program, Prescribers & Dispensers
- Electronic Scripts for Opioids
- Expand PMP to allow Hospital CMO to designate employees to check PMP (ex. ED nurses)

Exceptions
- In Law – Cancer, Hospice, Palliative Care, Medication Assisted Therapy, Limited to Outpatient (so acute care and nursing facilities/PNMI are excluded)
- By Rule – Exception above 100 MME, Exception to electronic prescribing, other exceptions

- CME 3 hours opioid education within the current CME required hours
LD 690 Lay Midwives

- Collaborative work between Maine Medical Association, Licensed Professional Nurse Midwives and Lay Midwives
- Approx. 28-30 Lay Midwives in Maine
- Agreement to place licensing with the Board of Complementary Healthcare Providers
- Majority Ought to Pass
- Waiting for Final Language Review
LD 633 MaineCare Expansion

- Senator Saviello amended his bill to require DHHS to obtain waiver approval from CMS to allow individuals between 100%-138% of poverty to obtain subsidized private insurance on the exchange with co-pays and individuals below 100% of poverty will be placed in traditional MaineCare
- Model based on Arkansas, Indiana & Kentucky
- Timeframes for review and evaluation of federal match funding
- Voting in the Senate likely to start next week
What about the State Budget?????

• No supplemental budget coming from the Governor’s office
• The Appropriations Committee will address spending needs
• State Economic Forecast Update early March
  Surplus $72.7 Million
Funding Requests

- Nursing Facilities
- PNMI’s
- Home Care
- Ambulances
- Methadone
- LD 155 Difficult to Place Patients Bills
November Elections

The Maine term limits law which took effect with the November 1996 election prohibits legislators from serving more than 4 consecutive two-year terms in any one branch of the Legislature.
18 Legislators Term Limited

- Senate – Two Democratic Senators
  - Sen. Justin Alfond Cumberland County
  - Sen. Stan Gerzofsky Cumberland County

- House 16 Members Term Limited (14 D – 2 R)
  - Henry E. M. Beck (D-Waterville) - District 110
  - Dale J. Crafts (R-Lisbon) - District 56
  - Mark W. Eves (D-North Berwick) - District 6
  - Paul E. Gilbert (D-Jay) - District 74
  - Adam A. Goode (D-Bangor) - District 127
  - Chuck Kruger (D-Thomaston) - District 92
  - Michel A. Lajoie (D-Lewiston) - District 58
  - Jeff M. McCabe (D-Skowhegan) - District 107
  - Terry K. Morrison (D-South Portland) - District 31
  - Robert W. Nutting (R-Oakland) - District 77
  - Matthew J. Peterson (D-Rumford) - District 115
  - Margaret R. Rotundo (D-Lewiston) - District 59
  - Diane M. Russell (D-Portland) - District 39
  - Linda F. Sanborn (D-Gorham) - District 26
  - Peter C. Stuckey (D-Portland) - District 42
  - Joan W. Welsh (D-Rockport) - District 94
Maine Nursing: Interviews and History on Caring and Competence

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