

# MAINE STATE LEGISLATURE

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A significant provision was the addition of the category of limited licensure, for those who would use ionizing radiation only for diagnostic purposes, but with identical requirements with respect to patient safety. Temporary licenses were also added, for those awaiting re-examination.

Finally, the amendment stipulated that fees gained from licensure applications would be used to pay the expenses of the Board and the administration of the program.

One Senate Amendment (S-207) corrected a couple of minor printing errors; it was identical to a House Amendment (H-395) which was not adopted.

1194	AN ACT TO ESTABLISH AND PROVIDE REIMBURSEMENT FOR HOSPICE CARE PROGRAM	Sen. Bustin	LV/WD HSE-ACCP LV/WD SEN-ACCP LV/WD
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**SUMMARY:** The bill indicated the state's intent to support hospice care for terminally-ill individuals; this could be provided either through home or inpatient care. The bill would have required the Department of Human Services to provide reimbursement for services provided by facilities licensed as hospitals or nursing homes.

In addition, 3rd-party insurers would also have to make benefits for hospice care services available to their subscribers.

The major opposition to the bill came not from opposition to hospice care, but rather because of the bill's provisions for reimbursement to facilities; those opponents preferred greater emphasis on home-based programs, and the use of volunteers. Others expressed concern that the proposed reimbursement system would create a form of licensing, and so would inhibit the development of other hospice programs.

Because of the strong interest in the topic, all interested parties agreed to develop more legislation for the next session.

1236	AN ACT TO REQUIRE INTERDEPART- MENTAL COORDINATION OF SOCIAL SERVICES PLANNING	Rep. Brodeur	OTIP-ND ID 1668
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**SUMMARY:** A similar bill introduced in the 110th Legislature led to a further study by the Committee after the session, and then to directed efforts by the Departments of Human Services and Mental Health and Retardation, and the Division of Community Services, with the chief goal of providing more information on finance and planning to the Legislature earlier during the legislative and budgetary processes.

The bill established a timetable for the development of a Social Services Plan, through assessments of past programs, and preliminary recommendations for the next year, and public hearings on the plan by the Appropriations Committee and the Health and Institutional

Services Committee. The focus would be on the funding and delivery of social services programs. The final plan would be made available to the public and the Governor in October of even-numbered years, and be approved by the Legislature after any changes.

The state agencies were opposed to a firm schedule, and preferred administrative flexibility, without statutory reference.

After discussions and negotiations, a new draft, ID 1668, was submitted.

1254 AN ACT CONCERNING SMOKING IN Sen. Bustin OTP-ND  
NURSING HOMES ID 1538

**SUMMARY:** The bill would have banned smoking by any patients, visitors or staff in a nursing home, except in designated areas. In addition, patients would have been able to smoke only if their physician had given them written permission to do so. All smoking in nursing homes would have been banned by the end of 1985.

There was opposition to the complete ban on smoking, to involving physicians, and to calling those who reside in nursing home "patients."

1255 AN ACT TO ESTABLISH DAY CARE Sen. Wood LV/WD  
SERVICES FOR STATE EMPLOYEES HSE-ACCP LV/WD  
SEN-ACCP LV/WD

**SUMMARY:** The bill required the establishment of a state-licensed and state-operated day-care program for children of state employees in the Augusta area. The Commissioner of Human Services would be responsible for determining eligibility for the program, and the fees. After a year of operation, a report would be made to the Appropriations Committee and the Health and Institutional Services Committee; unless they recommended continuation of the program, it would be repealed in 1985.

There was concern expressed about limiting the program to the Augusta area, whether fees charged would be sufficient to support the program, and also the appropriateness of statutory provisions for what might be considered a bargaining issue for those state employees in a union.

The Committee therefore decided to withdraw the bill in favor of a Joint Resolution (SP540), which called for the formation of a Study Committee, comprising 2 legislators from the Committee, representatives from the Commission for Women, the Labor-Management Committee, and the Department of Human Services. This Study Committee would report back to the H & I S Committee by December 1, 1983.

The Joint Resolution was amended in the Senate (S-105) to include 2 legislators from the State Government Committee and representatives from AFSCME.