

MAINE STATE LEGISLATURE

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1455 AN ACT TO PROHIBIT SMOKING Rep. Dexter HSE-ENACT.
IN JURY ROOMS SEN-ENACT.
GOV-SIGNED
PL 83, c. 226

SUMMARY: The new draft of LD 291, with a new title to make the intent clear, allowed smoking in jury rooms only if all present gave their consent.

1490 AN ACT ESTABLISHING EMERGENCY Sen. Gill LV/WD
MENTAL HEALTH SERVICES HSE-ACCP LV/WD
SEN-ACCP LV/WD

SUMMARY: The bill would have established a requirement that the Department of Mental Health and Mental Retardation provide, or be responsible for assuring the development of, crisis intervention services in the community. These services would help those suffering acute episodes of mental illness, who do not require institutionalization.

The bill was withdrawn at the hearing, with an agreement that the issues it presented would be studied by a task force of the Bureau of Mental Health.

1494 AN ACT TO ESTABLISH RULES TO Rep. Diamond LV/WD
MINIMIZE THE NEGATIVE EFFECTS OF HSE-ACCP LV/WD
MONTHLY REPORTING AND RETROSPEC- SEN-ACCP LV/WD
TIVE BUDGETING IN THE AID TO
FAMILIES WITH DEPENDENT CHILDREN
AND FOOD STAMP PROGRAMS

SUMMARY: The bill would have required the Department of Human Services to make numerous changes in the administration of the AFDC program; some of these were a direct response to Federal changes necessitating monthly reporting of income by recipients, and retrospective budgeting.

It was given Leave to Withdraw without a public hearing. DHS had filed testimony stating that many of the provisions of the bill would lessen the Department's flexibility, and could also conflict with Federal requirements.

1501 AN ACT TO LIMIT PAYMENTS TO Sen. Bustin OTP-ND
HEALTH CARE INSTITUTIONS WHICH ID 1728
ENGAGE PERSONS TO DEFEAT THE
ORGANIZATION OF COLLECTIVE
BARGAINING UNITS

SUMMARY: The bill required health care institutions to report to the Department of Human Services amounts they had spent to influence their employees with respect to unionization. The Department would then reduce its Medicaid payment to the institution by an amount equal to that part of the money spent for what were determined to be prohibited practices; these labor practices were defined. There was a fine for not reporting to the Department, and the Commissioner of Human Services was authorized to adopt rules to implement the bill.

There was considerable discussion about the amounts expended to promote unionization, and how often prohibited practices occurred.

1511	AN ACT TO REQUIRE THE DEPARTMENT OF HUMAN SERVICES TO CONDUCT DEMONSTRATIONS OF ADULT DAY CARE AND OTHER SERVICES THROUGH LONG-TERM CARE FACILITIES	Sen. Bustin	OTP-A HSE-ENACT. SEN-ENACT. GOV-SIGNED PL 1983, c. 545
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SUMMARY: The bill required the Bureau of Maine's Elderly to select and fund programs for adult day care offered through existing long-term-care facilities. These programs would offer an alternative to institutionalization, and provide assistance to family members so they can work or have respite from in-home care. The services provided during the day could include food, medication, laundry, various forms of therapy and other supplemental services. The programs would serve 32 frail elderly in different areas of the state.

Since this is a demonstration project, the Commissioner of Human Services is to make a report on the project to the Health and Institutional Services Committee and the Appropriations Committee before January 31, 1985.

The Committee Amendment (S-139) clarified some terms used in the bill, and required that the assessment of eligibility be done by DHS, rather than by Area Agencies on Aging. It also reduced the first year appropriation, to be 75% of the second-year appropriation.

The Senate Amendment (S-241) reduced both appropriations even further.

1538	AN ACT CONCERNING SMOKING IN NURSING HOMES	Sen. Bustin	HSE-ENACT. SEN-ENACT. GOV-SIGNED PL 83, c. 293
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SUMMARY: In this new draft of LD 1254, the bill was simplified to limit smoking to designated areas of nursing homes. "Patients" were also called "residents."

1539	AN ACT TO ESTABLISH THE THIRD-PARTY PRESCRIPTION PROGRAM ACT	Sen. Twitchell	HSE-ENACT. SEN-ENACT. GOV-SIGNED PL 83, c. 405
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The new draft of LD 621 clarified some provisions, for example including other programs administered by the Department of Human Services besides the Drugs for the Elderly Program, and simplified the section on denial of payment. It established a reimbursement rate of \$3.40 (the Blue Cross rate), to be indexed to the Consumer Price Index and changed annually but not by more than 10%. Other previous sections on fiduciary and bonding requirements, cancellation, interest, penalties, etc., were eliminated.