

# MAINE STATE LEGISLATURE

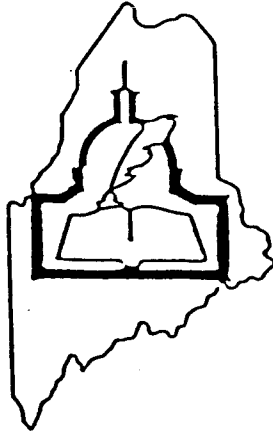
The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

STATE OF MAINE  
ONE HUNDRED AND TWELFTH LEGISLATURE  
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE ON  
HUMAN RESOURCES  
BILL SUMMARY



MAY 1986

PREPARED BY:

John R. Selser, Legal Analyst

OFFICE OF POLICY AND LEGAL ANALYSIS  
STATE HOUSE, STATION 13 AUGUSTA, MAINE 04333  
(207) 289-1670



HELEN T. GINDER, DIRECTOR  
HAVEN WHITESIDE, ASST. DIRECTOR  
GILBERT W. BREWER  
DAVID C. ELLIOTT  
MARTHA E. FREEMAN  
JERI B. GAUTSCHI  
CHRISTOS GIANOPOULOS  
WILLIAM T. GLIDDEN, JR.

STATE OF MAINE  
OFFICE OF POLICY AND LEGAL ANALYSIS  
ROOM 101/107  
STATE HOUSE STATION 13  
AUGUSTA, MAINE 04333  
TEL.: (207) 289-1670

JULIE S. JONES  
JOHN B. KNOX  
EDWARD POTTER  
MARGARET J. REINSCH  
LARS H. RYDELL  
JOHN R. SELSER  
ANDREA L. COLNES, Res. Asst.

ONE HUNDRED AND TWELFTH LEGISLATURE  
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE  
BILL SUMMARIES  
MAY 1986

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature, covering the Second Regular Session of the 112th Legislature. The summaries are arranged by LD number under each committee.

All Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "CA" if it is a committee amendment. If the amendment was adopted in the House, the letter H appears after the sponsor. If it was adopted in the Senate, the letter S appears.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Key to Committee Reports and Floor Action:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-AM	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

3. It prohibits employees of boarding care facilities from becoming conservators of the estates of residents.
4. It changes the minimum size of a boarding home from 3 beds to 5 to eliminate the overlap with adult foster homes.
5. It changes the present requirement of certification of unlicensed personnel who administer medications in boarding homes of 15 or more beds to require certification of personnel who administer medications in any size boarding home.
6. It amends the fire safety requirements for boarding care facilities to reflect changes in the Life Safety Code adopted by the State Fire Marshal.
7. It defines the source of funds for state assisted residents to pay authorized boarding care facilities.

The committee reported out a new draft (LD 2401). See new draft, LD 2401.

LD  
2221

AN ACT TO AMEND THE ANNUAL OPERATING-UNDER-THE-INFLUENCE REPORT AND TO ESTABLISH A STATE-OPERATED EVALUATION PROGRAM WITHIN THE DRIVER EDUCATION PROGRAM OF THE DEPARTMENT OF HUMAN SERVICES

PL 1985  
c. 688

Sponsor: ROLDE, McGowan, Jacques, Clark H  
Committee Report: OTP-A

H-651 CA H S

SUMMARY: This bill amended the information that must be included in the annual operating-under-the-influence (OUI) report and sought to establish a state-operated evaluation program within the Driver Education Evaluation Program (DEEP) of the Department of Human Services.

The OUI report changes are being made to:

1. reflect changes that have been made in the OUI law since 1982;
2. enhance the report by adding information that will make the report more complete;
3. remove requirements for data that is unavailable, not easily accessible, very expensive to generate or irrelevant to decision-makers; and
4. change the submission date from March 1st to May 1st. The data used to produce the report is not available for review and interpretation until the end of February of each year. Two months are needed for statistical analysis, interpretation of data and development of the report.

The purpose of the changes is to make the report more useful to the Chief Justice, the Governor and the Legislature.

Currently, providers who evaluate DEEP clients also provide treatment, causing potential for client exploitation when the same provider both evaluates and treats an individual. This problem is compounded by the fact that the individual is required to complete treatment before his driver's license is restored. The bill sought to allow DEEP, rather than private practitioners or agencies, to conduct evaluations of those clients who are found through DEEP's preliminary assessments to be in possible need of treatment for problems related to substance abuse. The bill also would have allowed the Department of Human Services to charge \$35 per session to participants in the evaluation program.

The House amendment (H-651) retains the section of the original bill which amends the information that must be included in the annual operating-under-the-influence (OUI) report and the reporting date but deletes the DHS evaluation program. The committee also requested and received authorization from the Legislative Council to study the DEEP program.

LD AN ACT TO AUTHORIZE TEMPORARY LICENSES TO  
2230 OPERATE FAMILY FOSTER HOMES

PL 1985  
c. 706

Sponsor: GAUVREAU, Carroll  
Committee Report: OTP

SUMMARY: This bill brought the Department of Human Services into compliance with federal regulations specifying that federal funds shall not be used to make foster care payments to providers who are not licensed by the State and provides for such licensure in temporary emergency situations when the foster family meets all applicable laws and rules but is not able to be inspected by the State Fire Marshal's office prior to the need to place the child. By issuing temporary licenses, the department will be able to draw federal money more quickly, rather than paying those costs out of all state funds.

It also clarifies that the last amendment to the Maine Revised Statutes, Title 22, section 8107, allowing for the placement of a moderately to severely handicapped child in any appropriate child care facility, does not add an exception to the statutory limit of 6 children in a foster home.