

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
115TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
HUMAN RESOURCES

MAY 1992

MEMBERS:

**Sen. Gerard P. Conley, Jr.
Sen. Stephen M. Bost
Sen. Barbara A. Gill*

**Rep. Peter J. Manning
Rep. Margaret Pruitt Clark
Rep. Donald H. Gean
Rep. Tracy R. Goodridge
Rep. Stephen P. Simonds
Rep. Sharon A. Treat
Rep. Jason D. Wentworth
Rep. Peggy A. Pendleton
Rep. Susan D. Duplessis
Rep. Joan M. Pendexter*

**Denotes Chair*

Staff:

Paul J. Saucier, Legislative Analyst

*Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207)287-1670*

IARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST
ULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
DON CLARK
YAN M. DYTTER
BRO FLATEBO
EBORAH C. FRIEDMAN
MICHAEL D. HIGGINS
KANE ORBETON



KAREN L. HRUBY
JILL IPPOLITI
JOHN B. KNOX
PATRICK NORTON
MARGARET J. REINSCH
PAUL J. SAUCIER
HAVEN WHITESIDE
MILA M. DWELLEY, RES. ASST.
ROY W. LENARDSON, RES. ASST.
BRET A. PRESTON, RES. ASST.

STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL.: (207) 289-1670

**ONE HUNDRED AND FIFTEENTH LEGISLATURE
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1992

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. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action on each bill is listed to the far right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX	Chapter # of enacted Public Law
P&S XXX	Chapter # of enacted Private & Special Law
RESOLVE XXX	Chapter # of enacted Resolve
CON RES XXX	Chapter # of Constitutional Resolution passed by both Houses
EMERGENCY	Enacted law takes effect sooner than 90 days
CARRIED OVER	Bill carried over to Special Session
ONTP	Ought Not to Pass report accepted
LVWD	Leave to Withdraw report accepted
INDEF PP	Bill Indefinitely Postponed
FAILED EMERGENCY ENACTMENT	Emergency bill failed to get 2/3 vote
DIED BETWEEN BODIES	House and Senate disagree; bill died
CONF CMTE UNABLE TO AGREE	Committee of Conference formed but unable to agree
VETO SUSTAINED	Legislature filed to override Governor's Veto
UNSIGNED	Not signed by Governor within 10 days
DIED ON ADJOURNMENT	Action incomplete when session ended; bill died

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin, especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

LD 1562 An Act Providing Nursing and Boarding Home Residents with a Right of Action for Violations of Their Resident Rights

**PUBLIC 637
EMERGENCY**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
CLARK N GAUVREAU FARNSWORTH PENDLETON	OTP-AM	S-532

SUMMARY

This bill allows residents of long-term care facilities to bring a private court action for damages and other appropriate relief if their rights as defined by state and federal law and regulations are violated by the long-term care facility.

Committee Amendment "A" (S-532) replaces the original bill. The private right of action in the original bill is maintained, but provisions for compensatory damages, lawyers fees and court costs are removed. A provision in the original bill that excluded awards from Medicaid eligibility determinations is also removed. The amendment also adds an emergency preamble, emergency clause and a fiscal note to the bill.

LD 1650 An Act to Establish Minimum Standards for Special Relief for Border Hospitals

ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
OTT ESTES HICHENS LAWRENCE	ONTP	

SUMMARY

This bill was carried over from the First Regular Session in order to allow time for negotiations to proceed between the Maine Health Care Finance Commission and York Hospital. The bill amends the health care finance laws to establish minimum standards for special relief for border hospitals, and would affect the revenue limits established for York Hospital.

LD 1797 An Act to Establish a Voluntary Trauma-reporting System

PUBLIC 703

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MITCHELL E RICHARDSON MANNING GILL	OTP-AM MAJ ONTP MIN	H-1038 MANNING H-915 MAJ REP

SUMMARY

This bill was carried over from the First Regular Session. It establishes a Trauma Prevention and Control Advisory Committee and authorizes the Emergency Medical Services' Board to establish, maintain and operate a statewide trauma-incidence registry.

Committee Amendment "A" (H-915) removes provisions of the bill that create an advisory committee to oversee the trauma-incidence registry. It also clarifies that hospitals' and physicians' immunity under the trauma reporting laws is limited to actions taken in good faith in accordance with those laws. The amendment also specifies that the registry established under the trauma reporting laws must comply with the requirements of the federal Trauma Care Systems Planning and Development Act of 1990, and it adds a