

MAINE STATE LEGISLATURE

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STATE OF MAINE
116TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
HUMAN RESOURCES

JULY 1993

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE
FIRST REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

JULY 1993

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.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. 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 right of the title. Various types of final action are abbreviated as follows:

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

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.

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

4693NRG

LD 444 An Act Regarding Community Health Centers

PUBLIC 331

SPONSOR(S)
MARTIN J

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-447

SUMMARY

This bill requires that community health centers be authorized providers of case management services in the Medicaid program when those services are provided to people receiving home-based health services. It also clarifies that community health centers are not required to be licensed as home health care providers.

Amendment H-447 replaces the original bill. It removes the section of the bill that required the Department of Human Services to make community health centers eligible for Medicaid reimbursement for case management. The amendment also clarifies that a rural health center does not need a home health care provider license to provide case management or health education in a client's place of residence.

LD 446 An Act to Consolidate the Delivery of Human Services

ONTP

SPONSOR(S)
PFEIFFER
PARADIS J
MITCHELL E

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

This bill requires that the Department of Human Services and the Department of Mental Health and Mental Retardation provide a single office in each municipality of 5,000 or more residents to provide information and allow people to apply for services. The single office may be a state regional or subregional office or it may be the office of a private agency that contracts with the State.

LD 473

An Act to Prevent the State from Discharging People from State Institutions without Adequate Provision for Alternative Services

VETO SUSTAINED

SPONSOR(S)
LEMKE
LUTHER

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-446

SUMMARY

This bill requires that, prior to recommending discharge from a state institution, the Department of Mental Health and Mental Retardation prepare an individual plan for a resident that specifies the resident's needs, arranges for delivery of needed services and ensures that funds are available for the services.

Amendment H-446 replaces the original bill. The original bill raised concerns that people would be held in institutions even if they no longer needed institutional services. The amendment entitles people in institutions to receive discharge planning before discharge, clarifying that appropriate planning is a right that may be exercised by the individual, but is not a condition that holds the individual in the institution against the individual's will. The amendment also requires the Department of Mental Health and Mental Retardation to study the State's involuntary commitment laws and to report back to the

Legislature with any proposed changes by January 1, 1994. The amendment also adds a fiscal note to the bill.

This bill was vetoed by the Governor. In his veto message, the Governor expressed concern that the bill would hold individuals in the institutions in violation of their constitutional rights.

LD 493 An Act to Clarify the Disbursement of Maine Children's Trust Fund Income PUBLIC 128

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
PENDLETON	OTP-AM	H-196

SUMMARY

This bill allows community coordinating committees (child abuse and neglect councils) that receive Maine Children's Trust Fund income to retain funds for the operation of their own prevention programs and revises the basis for statewide distribution of trust fund income.

Amendment H-196 changes the name of the community coordinating committees to the child abuse and neglect councils to make the bill consistent with changes adopted in Legislative Document 902. It also adds a fiscal note to the bill.

See also LD 902.

**LD 555 An Act to Limit Administrative Costs in Contracted Services P & S 48
EMERGENCY**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
GEAN	OTP-AM	H-214

SUMMARY

This bill defines client-related costs and nonclient-related costs. When the Department of Human Services, the Department of Mental Health and Mental Retardation, the Department of Corrections and the Office of Substance Abuse enter into contracts with community agencies, they must ensure that nonclient-related costs do not exceed 12% of the contract. The 4 state agencies are required to adopt joint rules to implement these contract restrictions by July 1, 1993.

Amendment H-214 replaces the original bill. It creates the Administrative Costs Task Force to study the issue and recommend to the Second Regular Session of the 116th Legislature a method for limiting administrative costs in contract agencies. It also adds a fiscal note to the bill.

LD 562 An Act to Reestablish the Maine Committee on Aging CARRIED OVER

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
VOSE TREAT		

SUMMARY

This bill reestablishes the Maine Committee on Aging, which was repealed by Public Law 1991, chapter 780.

The bill has been carried over to the Second Regular Session.