

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
118TH LEGISLATURE**

**FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
HEALTH AND HUMAN SERVICES**

**JULY 1997**

***MEMBERS:***

***Sen. Judy Paradis, Chair***

***Sen. Susan W. Longley***

***Sen. Betty Lou Mitchell***

***Rep. J. Elizabeth Mitchell, Chair***

***Rep. Joseph E. Brooks***

***Rep. Elaine Fuller***

***Rep. Thomas J. Kane***

***Rep. Wendy Pieh***

***Rep. Michael W. Quint***

***Rep. Glenys P. Lovett***

***Rep. Jeffery G. Joyner***

***Rep. Tarren R. Bragdon***

***Rep. Lois A. Snowe-Mello***

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**ONE HUNDRED EIGHTEENTH LEGISLATURE**  
**FIRST REGULAR AND FIRST SPECIAL SESSIONS**

**Summary Of Legislation Before The Joint Standing Committees**  
**August 1997**

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet ([www.state.me.us/legis/opla](http://www.state.me.us/legis/opla)).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

<i>CARRIED OVER</i> .....	<i>Bill carried over to Second Regular Session</i>
<i>CON RES XXX</i> .....	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i> .....	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i> .....	<i>House &amp; Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i> .....	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i> .....	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i> .....	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i> .....	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>INDEF PP</i> .....	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i> .....	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i> .....	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i> .....	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PUBLIC XXX</i> .....	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i> .....	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i> .....	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's Veto</i>

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

*David E. Boulter, Director*  
 Offices Located in the State House, Rooms 101/107/135

LD 1439

**Resolve, Requiring the Office of Vital Statistics to Conduct a Study of Medical Treatment Records Disposition**

ONTP

Sponsor(s)  
SNOWE-MELLO  
KANE

Committee Report  
ONTP

Amendments Adopted

LD 1439 proposed to require the Department of Human Services, Office of Vital Statistics to conduct a study to determine the appropriate disposition of medical treatment records of a deceased patient or of a patient who has moved without a forwarding address and to report back to the Joint Standing Committee on Health and Human Services no later than January 1, 1998.

**LD 1492**

**An Act to Provide Recipients of All Assisted Living Programs and Services Residents' Rights and Equivalent Reporting and Enforcement Opportunities**

PUBLIC 260

Sponsor(s)  
PINGREE

Committee Report  
OTP

Amendments Adopted

LD 1492 proposed to extend the private right of action now available to residents of licensed nursing facilities and licensed assisted living facilities to all individuals receiving assisted living programs and services. The bill proposed to clarify that assisted living services rules describing residents' rights adopted by the Department of Human Services apply to all providers of assisted living services whether licensed or unlicensed.

*Enacted law summary*

Public Law 1997, chapter 260 comprises the provisions of the bill. It applies the rights of nursing home residents to residents in assisted living facilities.

LD 1496

**An Act to Streamline the Long-term Care Regulatory System**

ONTP

Sponsor(s)  
BENNETT  
GAGNE

Committee Report  
ONTP

Amendments Adopted

LD 1496 proposed to eliminate occupancy-related penalties for all nursing facilities, to correct a technical reading of the days-awaiting-placement provision of the statute to eliminate reductions in payment currently used to sanction facilities for paperwork errors, to require the department to give facilities access to aggregate data concerning quality and efficiency, case mix, resource use and other factors, and to establish a Task Force to Study the Delivery of Long-term Care in Maine. It also proposed to require the Department of Human Services to amend its rules to extend spousal support protections to the spouse of a resident of a cost-reimbursed residential care facility, to amend the medical eligibility for Medicaid reimbursement for nursing facility care and to grant eligibility for services required on 3 consecutive days in that period.