

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

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Rep. Tarren R. Bragdon

Rep. Lois A. Snowe-Mello

Staff:

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Maine State Legislature

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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).

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:

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

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 1526

An Act to Redefine the Community Services of the Mental Health System

PUBLIC 371

<u>Sponsor(s)</u> PARADIS MITCHELL J	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-257
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LD 1526 proposed to define "major mental illness" and extend the requirement for delivering local mental health services to persons who may not be under the authority of the department but who have a major mental illness. The bill would have required the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services to review other states' laws regarding the provision of such services and to report to the Legislature on implementing the extension of local mental health services to persons not under the department's authority.

Committee Amendment "A" (S-257) proposed to require the mental health system quality improvement councils to put together plans for the delivery of services to adults and children with major mental illness. It would require the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services to report by January 1, 1998 on recommendations and legislation that would be necessary to provide services to adults and children with major mental illness. It would replace the definition of major mental illness with a definition to be adopted by the department. It would delete a reference in the study of service delivery systems to the laws of Missouri.

Enacted law summary

Public Law 1997, chapter 371 comprises the provisions of the bill and the Committee Amendment. It adds planning for children's services and oversight of the delivery of services to persons who have a major mental illness to the duties of the quality improvement councils. It requires a report by 1/1/98 to the Health and Human Services Committee on the operation of the quality, improvement councils and the delivery of services to persons who have a major mental illness.

LD 1541

Resolve, Directing the Department of Human Services to Apply for a Waiver to Enable People with Disabilities to Purchase Medicaid Health Insurance

RESOLVE 59

<u>Sponsor(s)</u> KERR	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-583
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LD 1541 proposed to require the Department of Human Services to allow people with disabilities to purchase Medicaid coverage on a sliding fee basis if they work at least 10 hours per week and their employers do not offer adequate health care insurance. The resolve would have permitted the purchase of coverage for children with disabilities whose parents work and required the department to seek a federal waiver to permit federal Medicaid funding.

Committee Amendment "A" (H-583) proposed to direct the Department of Human Services to apply for a waiver to enable people with disabilities who are covered by the Medicaid program to purchase health care coverage under

the Medicaid program. It proposed to require that the waiver program be revenue-neutral and added appropriation and allocation sections and a fiscal note to the bill.

Enacted law summary

Resolves 1997, chapter 59 directs the Department of Human Services to apply for a Medicaid waiver to make Medicaid coverage available to people with disabilities who are working and to children with disabilities whose parents work. The program is required to be revenue neutral.

LD 1570 *An Act to Require Tobacco Manufacturers to Disclose Ingredients Contained within Tobacco Products* CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS NUTTING		

LD 1570 proposed to require manufacturers of cigarettes and smokeless tobacco to disclose annually in reports to the Department of Human Services added ingredients and nicotine yield ratings. This legislation is modeled on recently enacted Massachusetts law. The bill was carried over to the Second Regular Session of the 118th Legislature.

LD 1575 *An Act to Make Health Provider Data More Accessible to the Public* ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BUCK	ONTP	

LD 1575 proposed to require the Maine Health Data Organization to collect and make public data identified by providers on rates of morbidity, infection, mortality and surgery.

LD 1576 *An Act to Require that Life-support Systems in Medical Facilities Have Back-up Generators* ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BUCK RAND	ONTP	

LD 1576 proposed to require a hospital or other medical care institution that maintains a life-support system or life-support equipment to maintain a back-up power generator to ensure the uninterrupted operation of the system or equipment.