

# MAINE STATE LEGISLATURE

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*State Of Maine  
120th Legislature*

*First Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Health and Human Services*

*August 2001*

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**120th Legislature**  
**First Regular Session**

**Summary Of Legislation Before The Joint Standing Committees**  
**August 2001**

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing select committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. 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 considered by the committees. It is organized 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>NOT PROPERLY BEFORE THE BODY</i> .....	<i>Ruled out of order by the presiding officers; bill died</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 **September 21, 2001**.

*David E. Boulter, Director*  
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## Joint Standing Committee on Health and Human Services

**LD 1005**                      **An Act to Inform Consumers About Prescription Drug Prices**                      **ONTP**

<u>Sponsor(s)</u> PENDLETON FULLER	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1005 proposed to require the Department of Human Services to regularly publish drug price information for commonly used prescription drugs in a manner that would allow patients and their health care providers to make better choices of therapeutically equivalent, but less costly, drugs.

**LD 1006**                      **Resolve, to Retain Direct Care Workers for Persons with Mental Retardation**                      **DIED ON ADJOURNMENT**

<u>Sponsor(s)</u> PENDLETON	<u>Committee Report</u> OTP-AM    MAJ ONTP        MIN	<u>Amendments Adopted</u> S-161
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LD 1006 proposed to require the Department of Mental Health, Mental Retardation and Substance Abuse Services to adjust contracts with providers of services to persons with mental retardation to provide a cost-of-living increase for direct care workers. It proposed to require the Department of Human Services to rebase the principles of reimbursement established for intermediate care facilities for persons with mental retardation to provide reasonable reimbursement for employee pension plans.

**Committee Amendment "A" (S-161)** is the majority report of the Joint Standing Committee on Health and Human Services. The amendment proposed to clarify that the pay increase would apply to persons providing services to adults with mental retardation. It proposed to remove from the resolve the provision that would have required the Department of Mental Health, Mental Retardation and Substance Abuse Services to pay for pension costs for direct care mental retardation workers. It proposed to add an appropriation, an allocation and a fiscal note to the resolve.

See Public Law 2001, chapter 358, Part FF, appropriating funds for a 2.5% wage increase for direct care workers in mental health and mental retardation contract agencies.

**LD 1021**                      **Resolve, Extending the Reporting Deadline for the Maine Millennium Commission on Hunger and Food Security**                      **RESOLVE 63**

<u>Sponsor(s)</u> SNOWE-MELLO	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-147 S-381    GOLDTHWAIT
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## Joint Standing Committee on Health and Human Services

LD 1021 proposed to clarify the reporting dates for the Maine Millennium Commission on Hunger and Food Security.

**Committee Amendment "A" (H-147)** proposed to add an appropriation and a fiscal note to the resolve.

**Senate Amendment "A" (S-381)** proposed to move the reporting deadline from December 15, 2001 to December 5, 2001.

### *Enacted law summary*

Resolve 2001, chapter 63 clarifies the reporting dates for the Maine Millennium Commission on Hunger and Food Security and requires a final report by December 5, 2001.

**LD 1022**                      **An Act to Require Full Disclosure of Prescription Drug Marketing Costs**                      **INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KANE	OTP-AM    MAJ	H-517
BROMLEY	ONTP      MIN	S-304    NUTTING J

LD 1022 proposed to require companies that sell prescription drugs in the State to make available for public inspection all costs associated with marketing the drugs.

**Committee Amendment "A" (H-517)** is the majority report of the committee. The amendment proposed to replace the bill. It proposed to provide for annual reports of the activities and costs of prescription drug marketing, advertising and promotion by prescription drug manufacturers and labelers. It proposed to add a statement of purposes for the collection of drug marketing cost information. The reports would be filed with the Department of Human Services and a fee paid to support the work required by the department with regard to the marketing information. It proposed to designate all information not protected by law, rule or regulation as public information. It proposed to require an annual report to the Legislature by October 31st each year. It proposed to add an allocation section and a fiscal note to the bill.

**Senate Amendment "A" to Committee Amendment "A" (S-304)** proposed to exempt costs associated with advertising purchased for a regional or national market that includes advertising within this State from the reporting requirement regarding costs of prescription drug marketing, advertising and promotion by prescription drug manufacturers and labelers.