

MAINE STATE LEGISLATURE

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*State Of Maine
121st Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Health and Human Services*

July 2003

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Sen. John L. Martin
Sen. Carol Weston*

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Maine State Legislature



Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

121st Maine Legislature First Regular Session

Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint 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 arranged alphabetically by committee name 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:

<i>CARRIED OVER PURSUANT TO HP 1212</i>	<i>Bills carried over to the 2nd 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 & 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>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PASSED</i>	<i>Joint Order passed in both bodies</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 that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

David C. Elliott, Director
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Joint Standing Committee on Health and Human Services

LD 61 **An Act to Promote Public Awareness of Parkinson's Disease** **ONTP**

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

LD 61 proposed to require the Department of Human Services, Bureau of Health to undertake an education initiative regarding Parkinson's disease. The initiative would provide training to a wide variety of health care, public service and law enforcement personnel.

LD 65 **An Act Regarding the Billing for Medical Supplies by a Health Care Provider** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SNOWE-MELLO	ONTP	

LD 65 proposed to prohibit health care practitioners and health care facilities from billing patients for services or supplies when the health carrier has determined that the services or supplies were not medically necessary or that the services or supplies are not actually used for patient care. The prohibition would apply as of October 15, 2003.

LD 73 **An Act to Make the Children's Ombudsman Program an Independent Office** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LAVERRIERE-BOUCHER BRYANT		

LD 73 proposes to remove from the Executive Department the ombudsman program that handles child welfare inquiries and complaints. The bill proposes to maintain the current duties of the ombudsman program.

LD 88 **An Act to Require that Pharmacy Benefit Plan Bids be Solicited from Nonprofit Pharmacy Benefit Managers** **ONTP**

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

LD 88 proposed, under certain circumstances, to require the Department of Administrative and Financial Services, Bureau of Human Resources, Division of State Employee Health Insurance and the Department of

Joint Standing Committee on Health and Human Services

Human Services to seek bids on pharmacy benefits management services from a nonprofit pharmacy benefits management entity for the state employee health insurance program and for a health or pharmacy benefits program administered by the State.

LD 89 **An Act to Prohibit the Use of Juveniles in the Enforcement of the** **ONTP**
Laws Governing the Sale of Tobacco

<u>Sponsor(s)</u> SNOWE-MELLO		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 89 proposed to preclude the State's using juveniles in any tobacco enforcement action. It proposed to direct the Commissioner of Human Services, the Commissioner of Behavioral and Developmental Services, the Commissioner of Public Safety and the Attorney General to jointly develop and implement alternative tobacco enforcement strategies, exclusive of using juveniles for enforcement actions.

LD 95 **Resolve, Directing the Department of Behavioral and** **RESOLVE 17**
Developmental Services To Conduct a Study Regarding a Registry
of Direct Care Workers Working with Persons with Mental
Retardation

<u>Sponsor(s)</u> DUDLEY MARTIN		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-162
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LD 95 proposed to direct the Department of Behavioral and Developmental Services to establish by January 1, 2004 a registry for direct care workers working with persons with mental retardation. Rules adopted pursuant to this resolve would be routine technical rules.

Committee Amendment "A" (H-162) proposed to replace the resolve. It proposed to require the Department of Behavioral and Developmental Services to conduct a study regarding the creation of a registry for direct care workers working with persons with mental retardation and to report the results of its study to the Joint Standing Committee on Health and Human Services by December 1, 2003. It also proposed to add a fiscal note to the resolve.

Enacted Law Summary

Resolve 2003, chapter 17 directs the Department of Behavioral and Developmental Services to conduct a study regarding the creation of a registry for direct care workers working with persons with mental retardation. The law requires the department to report the results of its study to the Joint Standing Committee on Health and Human Services by December 1, 2003.