

# 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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# 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](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 PURSUANT TO HP 1212</i> .....	<i>Bills carried over to the 2<sup>nd</sup> 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>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; 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**  
Offices located in Room 215 of the Cross Office Building

*Joint Standing Committee on Health and Human Services*

**LD 96**

**Resolve, Regarding the Regulation of Home Day Care and Summer Camps**

**ONTP**

<u>Sponsor(s)</u> SNOWE-MELLO		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 96 proposed to direct the Department of Human Services to adopt rules regarding home day care providers and summer camps. The proposed rules were major substantive rules. The rules would change the treatment of infants in the staffing ratios, allow more flexibility in times of shift changes and other unexpected events and make summer camp rules the same as home day care rules.

**LD 102**

**An Act to Require Disclosure of Retail Prescription Drug Prices**

**PUBLIC 375**

<u>Sponsor(s)</u> LEMOINE TREAT		<u>Committee Report</u> OTP-AM MAJ ONTP MIN		<u>Amendments Adopted</u> H-463
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LD 102 proposed to require the label and receipt for the purchase of a prescription drug to disclose the full retail price of the prescription and the cost of any payment required of the patient and any 3rd-party payor.

**Committee Amendment "B" (H-463)** proposed to remove the requirement that price information be provided on the label, remove the restriction to new prescriptions only and remove the requirement that price information be provided on the receipt. It proposed to require disclosure in writing of the usual and customary price and the payment required of the patient when a prescription is filled. The amendment proposed to apply these requirements January 1, 2006 or when computer software with regard to prescription drug price and patient payment is updated by a pharmacy, whichever occurs first.

**Committee Amendment "A" (H-172)**, which was not adopted, proposed to remove the requirement that price information be provided on the label, remove the restriction to new prescriptions only and remove the requirement that price information be provided on the receipt. It proposed to require disclosure in writing of the usual and customary price and the payment required of the patient when a prescription is filled. The amendment proposed to make these requirements effective January 1, 2004.

***Enacted Law Summary***

Public Law 2003, chapter 375 requires disclosure in writing by the pharmacist when filling a prescription of the usual and customary price and the payment required of the patient. The law imposes these requirements January 1, 2006 or when computer software with regard to prescription drug price and patient payment is updated by a pharmacy, whichever occurs first.