

# 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*

**Staff:**

*Jane Orbeton, Senior Analyst  
Lucia Nixon, Legislative Analyst*

*Office of Policy and Legal Analysis  
13 State House Station  
Augusta, ME 04333  
(207) 287-1670*

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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 112**

**An Act Requiring Public Disclosure of Prices Charged by Health Care Providers**

**ONTP**

<u>Sponsor(s)</u> WOODBURY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 112 proposed to require health care practitioners and facilities to disclose the prices charged for the health care services that they provide and prohibit them from billing for those services if they have not disclosed those services and their prices in writing to the patient prior to providing the services. The bill also proposed to require annual reporting of health care services and prices and any discounts made from those prices to the Maine Health Data Organization. The bill proposed to contain an effective date of January 1, 2004.

**LD 132**

**An Act Requiring Disclosure of Prescription Drug Advertising and Promotional Expenses**

**ONTP**

<u>Sponsor(s)</u> MAYO RICHARDSON J		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 132 proposed to require prescription drug manufacturers and labelers whose drugs are dispensed to Maine residents to file annual reports with the Maine Health Data Organization regarding their expenses for advertising and promoting their drugs. The bill proposed to require the Maine Health Data Organization to file an annual report regarding the information filed and a biennial report that contains analysis of information and recommendations. The bill proposed to continue the confidentiality of trade information that is protected under state and federal law. The bill proposed to provide for a fine of \$1,000 for failure to report as required. The bill proposed to provide for rulemaking by the Maine Health Data Organization and contained an effective date of January 1, 2004. (See LD 254.)

**LD 135**

**An Act to Allow Nursing Homes to Use Leftover Medications**

**ONTP**

<u>Sponsor(s)</u> BENNETT R		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 135 proposed to require the Department of Human Services, Bureau of Medical Services to adopt rules for the MaineCare program that allow nursing facilities to use medications that were prescribed for a former resident who has not taken the medications upon discharge. The rules would be required to provide for crediting the MaineCare account of the former resident and charging the MaineCare account of the resident for whom the medications will be used. The rules would be required to be in effect by January 1, 2004.