

# 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 584**                      **An Act To Strengthen the Maine Certificate of Need Act of 2002**                      **CARRIED OVER**

|                             |  |                         |  |                           |
|-----------------------------|--|-------------------------|--|---------------------------|
| <u>Sponsor(s)</u><br>TRAHAN |  | <u>Committee Report</u> |  | <u>Amendments Adopted</u> |
|-----------------------------|--|-------------------------|--|---------------------------|

LD 584 proposes to increase the applicability of the certificate of need law to health care facilities, regardless of ownership. It proposes to repeal provisions for subsequent review following approval of a certificate of need. The bill proposed to expand the scope of the periodic reports to the Department of Human Services by an applicant who has been granted a certificate of need. It proposes to exempt from the certificate of need process the conversion by a critical access hospital of banked hospital beds to swing beds.

**LD 585**                      **An Act to Establish a Statewide Primary and Preventive Health Care Program**                      **CARRIED OVER**

|                                     |  |                         |  |                           |
|-------------------------------------|--|-------------------------|--|---------------------------|
| <u>Sponsor(s)</u><br>TRAHAN<br>HALL |  | <u>Committee Report</u> |  | <u>Amendments Adopted</u> |
|-------------------------------------|--|-------------------------|--|---------------------------|

LD 585 proposes to establish a statewide primary and preventive health care program, a Medicaid waiver program to serve children and adults with family incomes up to 300% of the federal poverty level, subject to adjustment by the Commissioner of Human Services in order to maximize coverage and prevent overspending by the program. The program would include an Internet resource guide and health weeks twice per year to promote good health and encourage enrollment in the program. The proposed program includes an advisory committee to advise the Department of Human Services on consumer copayments and premiums. The bill proposed to require administration of the program to be coordinated and integrated with the MaineCare program. The bill proposes to require 4 public hearings on a statewide basis prior to the operation of the program. The bill proposed to require quarterly fiscal reports. The bill proposes to require the waiver application to be filed by January 1, 2004.

**LD 602**                      **Resolve, to Allow Persons with Disabilities to Purchase Coverage Under the Medicaid Program**                      **ONTP**

|   |  |                                 |  |                           |
|---|--|---------------------------------|--|---------------------------|
| <u>Sponsor(s)</u><br>DOUGLASS<br>THOMAS |  | <u>Committee Report</u><br>ONTP |  | <u>Amendments Adopted</u> |
|---|--|---------------------------------|--|---------------------------|

LD 602 proposed to require the Department of Human Services to amend the rules to allow persons with disabilities and their spouses to purchase coverage in the Medicaid program. The rules would maintain income eligibility limits while removing separate limits on earned and unearned income.