

MAINE STATE LEGISLATURE

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*State Of Maine
121st Legislature*

*Second Regular Session and
Second Special Session*

Bill Summaries

*Joint Standing Committee
on
Health and Human Services*

May 2004

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Members:

*Sen. Michael F. Brennan, Chair
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
Second Regular Session and
Second Special 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/billsumm.htm).

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:

CON RES XXX.....	Chapter # of Constitutional Resolution passed by both Houses
CONF CMTE UNABLE TO AGREE	Committee of Conference unable to agree; bill died
DIED BETWEEN BODIES.....	House & Senate disagree; bill died
DIED IN CONCURRENCE.....	One body accepts ONTP report; the other indefinitely postpones the bill
DIED ON ADJOURNMENT.....	Action incomplete when session ended; bill died
EMERGENCY	Enacted law takes effect sooner than 90 days
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE.....	Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE.....	Bill failed to get majority vote
FAILED MANDATE ENACTMENT	Bill imposing local mandate failed to get 2/3 vote
NOT PROPERLY BEFORE THE BODY	Ruled out of order by the presiding officers; bill died
INDEF PP	Bill Indefinitely Postponed
ONTP.....	Ought Not To Pass report accepted
OTP-ND	Committee report Ought To Pass In New Draft
P&S XXX.....	Chapter # of enacted Private & Special Law
PASSED.....	Joint Order passed in both bodies
PUBLIC XXX.....	Chapter # of enacted Public Law
RESOLVE XXX.....	Chapter # of finally passed Resolve
UNSIGNED.....	Bill held by Governor
VETO SUSTAINED	Legislature failed to override Governor's Veto

Please note that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is April 30, 2004; and non-emergency legislation enacted in the Second Special Session is July 30, 2004. Four bills (LD's 1572, 1629, 1636 and 1637) that were considered at the First Special Session in August 2003 are also included in these summaries.

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

PUBLIC 621

Sponsor(s)
TRAHAN

Committee Report
OTP-AM

Amendments Adopted
H-816

LD 584 proposed to increase the applicability of the certificate of need law to health care facilities, regardless of ownership. It proposed 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 proposed to exempt from the certificate of need process the conversion by a critical access hospital of banked hospital beds to swing beds.

Committee Amendment "A" (H-816) proposed to replace the bill. It proposed to extend the exemption from certificate of need applicable to critical access hospitals converting swing beds to hospitals in the process of becoming critical access hospitals and to clarify that the exemption applies to licensed acute care beds.

Enacted Law Summary

Public Law 2003, chapter 621 extends the exemption from certificate of need applicable to critical access hospitals converting swing beds to hospitals in the process of becoming critical access hospitals and clarifies that the exemption applies to licensed acute care beds.

LD 585

An Act to Establish a Statewide Primary and Preventive Health Care Program

ONTP

Sponsor(s)
TRAHAN
HALL

Committee Report
ONTP

Amendments Adopted

LD 585 proposed 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 proposed to include an Internet resource guide and health weeks twice per year to promote good health and encourage enrollment in the program. The program proposed to include 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 proposed 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 proposed to require the waiver application to be filed by January 1, 2004.