

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
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Health and Human Services

LD 849 **An Act To Ensure Fairness in Maine's Prescription Drug Laws** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CANAVAN DOUGLASS	ONTP	

LD 849 proposed to require the Department of Human Services to receive approval from the drug committee, established pursuant to the Maine Revised Statutes, Title 22, section 3174-M, subsection 2, prior to establishing any mechanisms to monitor or restrict the manner in which physicians prescribe drugs or Medicaid program recipients have access to drugs. The bill also proposed to require that 2 members of the committee must be psychiatrists, one a child psychiatrist and one an adult psychiatrist. (See LD 1288.)

LD 866 **An Act Concerning Recovery of Expenses under the General Assistance Laws** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMITH W MARTIN	ONTP	

LD 866 proposed to require that reasonable attorney's fees and litigation costs be deducted from retroactive Supplemental Security Income benefits and Worker's Compensation lump sum payments before the state and municipalities would be reimbursed for providing General Assistance while an individual's Supplemental Security Income claim or Worker's Compensation claim was pending.

LD 878 **An Act To Provide Peer Support and Advocacy Services To Participants in the ASPIRE-TANF Program and the Parents as Scholars Program** **PUBLIC 351**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LAVERRIERE- BOUCHER MAYO	OTP-AM MAJ ONTP MIN	H-398

LD 878 proposed to direct the Department of Human Services to contract with a nonprofit entity or entities to establish a peer support advocacy demonstration project in 4 different regions of the State to provide information and advocacy services to ASPIRE-TANF program and Parents as Scholars Program participants.

Committee Amendment "A" (H-398) was the majority report and proposed to replace the bill. The amendment proposed to direct the Department of Human Services to establish a volunteer peer support and advocacy demonstration project in 4 of its offices to provide information, support and advocacy services to ASPIRE-TANF program and Parents as Scholars Program participants. The amendment also proposed to require the department to report on the project to the Joint Standing Committee on Health and Human Services by March 1, 2004. The

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amendment proposed to add a sunset provision that would repeal the project July 1, 2005. The amendment proposed to add a fiscal note to the bill.

Enacted Law Summary

Public Law 2003, chapter 351 directs the Department of Human Services to establish a volunteer peer support and advocacy demonstration project in 4 of its offices to provide information, support and advocacy services to ASPIRE-TANF program and Parents as Scholars Program participants. The law requires the department to report on the project to the Joint Standing Committee on Health and Human Services by March 1, 2004. The law includes a sunset provision that repeals the project July 1, 2005.

LD 896 **Resolve, To Establish a System for Electronic Filing of Death Certificates** **RESOLVE 27**

<u>Sponsor(s)</u> MAYO RICHARDSON J	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-104
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LD 896 proposed to direct the State Board of Funeral Services and the State Registrar of Vital Statistics jointly to establish a system for electronic filing of death certificates with municipal clerks and with the State.

Committee Amendment "A" (S-104) proposed to require the Department of Human Services, Bureau of Health to convene an advisory committee on the development of a plan and funding for an electronic death certificate filing system. It proposed to require a report back by January 15, 2004 to the Joint Standing Committee on Health and Human Services. It proposed to require the Bureau of Health to provide staffing for the work of the advisory committee.

Enacted Law Summary

Resolve 2003, chapter 27 requires the Department of Human Services, Bureau of Health to convene an advisory committee on the development of a plan and funding for an electronic death certificate filing system. It requires a report back by January 15, 2004 to the Joint Standing Committee on Health and Human Services. It requires the Bureau of Health to provide staffing for the work of the advisory committee.

LD 903 **Resolve, Regarding Consumer Information for Medicare Beneficiaries** **RESOLVE 55**

<u>Sponsor(s)</u> DAMON	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-199
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LD 903 proposed to require the Department of Professional and Financial Regulation, the Bureau of Insurance to amend its rule relating to guaranteed issue of Medicare supplement insurance policies to allow an individual who was previously enrolled in a Medicare supplement policy to obtain that same coverage when the individual loses eligibility under the MaineCare program. The resolve proposed to require the bureau to amend the rule by January 1, 2004.