

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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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
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Joint Standing Committee on Health and Human Services

Committee Amendment "A" (S-427) was the majority report of the committee. It proposed to direct the Maine Quality Forum Advisory Council to review direct-care registered nurse staffing levels in general, acute and specialty care hospitals, the issue of minimum staffing ratios for direct-care registered nurses in hospitals and the rules of the Department of Human Services on direct-care registered nurse staffing. It proposed to direct the council to report to the joint standing committee of the Legislature having jurisdiction over health and human services matters on its review under this section and any recommendations from the council by January 15, 2005.

Enacted Law Summary

Resolve 2003, chapter 118 directs the Maine Quality Forum Advisory Council to review direct-care registered nurse staffing levels in general, acute and specialty care hospitals, the issue of minimum staffing ratios for direct-care registered nurses in hospitals and the rules of the Department of Human Services on direct-care registered nurse staffing. The council is directed to report to the joint standing committee of the Legislature having jurisdiction over health and human services matters on its review under this section and any recommendations from the council by January 15, 2005.

LD 713

An Act to Support Health Care Safety Net Programs

ONTP

Sponsor(s)
MARTIN

Committee Report
ONTP

Amendments Adopted

LD 713 proposed to provide funding for the Bureau of Health, within the Department of Human Services, to make grants to federally qualified health centers, Indian Health Service - supported centers and the Maine Primary Care Association to support health care safety net programs. The additional funding would have been offset by an increase in the cigarette tax from \$1 to \$1.05 per pack.

LD 1066

Resolve, To Establish a Committee To Examine Issues Relating to the Administration of Municipal General Assistance

RESOLVE 116

Sponsor(s)
DUDLEY
BRENNAN

Committee Report
OTP-AM

Amendments Adopted
H-738

LD 1066 proposed to increase the temporary maximum levels for municipal general assistance from a level based on fair market rents to a level based on rents adjusted by established maximum levels of assistance for food. The bill proposed to require the Department of Human Services to reimburse municipalities for the increased expenditures associated with the bill in 2004 and to adopt rules to equitably distribute the costs beginning in 2005.

Committee Amendment "A" (H-738) proposed to replace the bill and make it a resolve. The amendment proposed to require the Department of Human Services to convene a general assistance committee composed of persons interested in the administration of municipal general assistance. The amendment proposed to direct the committee to make policy recommendations regarding general assistance and to report its recommendations to the joint standing committee of the Legislature having jurisdiction over human services matters, with a progress report

Joint Standing Committee on Health and Human Services

by January 15, 2005 and a final report by January 15, 2006. It also proposed to authorize the joint standing committee to report out legislation to the Second Regular Session of the 122nd Legislature based on the report of the general assistance committee.

Enacted Law Summary

Resolve 2003, chapter 116 requires the Department of Human Services to convene a general assistance committee composed of persons interested in the administration of municipal general assistance. The resolve directs the committee to make policy recommendations regarding general assistance and to report submit a progress report by January 15, 2005 and final recommendations to the joint standing committee of the Legislature having jurisdiction over human services matters by January 15, 2006. The resolve also authorizes the joint standing committee to report out legislation to the Second Regular Session of the 122nd Legislature based on the report of the general assistance committee.

LD 1090

Resolve, To Promote Recruitment and Retention of Direct Care Workers in Long-term Care in Maine

RESOLVE 113

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EDMONDS LAVERRIERE-BOUC	OTP-AM	H-743 KANE S-402

LD 1090 proposed to provide funds to increase compensation to direct care workers and create demonstration grants for retention of direct care workers in nursing facilities, residential care facilities and home health care. The resolve also proposed to direct the Department of Human Services to study wages, benefits and reimbursement for these workers and report back to the Second Regular Session of the 121st Legislature.

Committee Amendment "A" (S-402) proposed to replace the resolve. It proposed to require continuing work on the recruitment and retention of direct care workers and to provide for a report by January 15, 2005 to the joint standing committee of the Legislature having jurisdiction over health and human services matters.

House Amendment "A" to Committee Amendment "A" (H-743) proposed to clarify that the joint standing committee of the Legislature having jurisdiction over health and human services matters has authority to report legislation to the First Regular Session of the 122nd Legislature.

Enacted Law Summary

Resolve 2003, chapter 113 requires continuing work on the recruitment and retention of direct care workers and provides for a report by January 15, 2005 to the joint standing committee of the Legislature having jurisdiction over health and human services matters. It authorizes the joint standing committee to report legislation to the First Regular Session of the 122nd Legislature.