

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

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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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 1666 **Resolve, To Require Cost Neutrality and Appropriateness of Assisted Living Medication Courses** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LERMAN DAGGETT	ONTP	

LD 1666

On September 1, 2003, the Department of Human Services revised the content and duration of the course curriculum required for persons administering medications in assisted living settings. LD 1666 proposed to require the Department of Human Services to revise the course to ensure its appropriateness for the population served, and either to ensure cost neutrality or to provide reimbursement for the added costs from the effective date of this resolve.

LD 1681 **An Act To Make Principles of Reimbursement for Intermediate Care Facilities for the Mentally Retarded Major Substantive Rules** **PUBLIC 684**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAGGETT DUDLEY	OTP-AM A OTP-AM B ONTP C	H-811 KANE S-434

LD 1681

In July 2003, the Department of Human Services amended the principles of reimbursement for intermediate care facilities for persons with mental retardation to eliminate the provisions that permitted operators of intermediate care facilities for the mentally retarded to retain 75% of the savings achieved by an economically and efficiently run facility. LD 1681 proposed to establish that provision as law.

Committee Amendment "A" (S-434) proposed to replace the bill and was the majority report. The amendment proposed to designate rules regarding principles of reimbursement in the MaineCare program for intermediate care facilities for persons with mental retardation as major substantive rules.

House Amendment "A" to Committee Amendment "A" (H-811) proposed to remove the emergency preamble and the emergency clause from the amendment.

Enacted Law Summary

Public Law 2003, chapter 684 designates MaineCare rules regarding principles of reimbursement for intermediate care facilities for persons with mental retardation as major substantive rules.