

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
SECOND REGULAR AND FIRST SPECIAL SESSIONS



Summaries of bills, adopted amendments and laws enacted or finally passed
during the Second Regular or First Special Sessions of the 123rd Maine
Legislature coming from the

**JOINT STANDING COMMITTEE ON HEALTH AND HUMAN
SERVICES**

May 2008

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STATE OF MAINE
123RD LEGISLATURE
SECOND REGULAR & FIRST SPECIAL SESSIONS



**LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS**

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the Second Regular or First Special Sessions of the 123rd Maine Legislature.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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>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; bill died</i>
<i>ONTP (or Accepted ONTP report)</i>	<i>Ought Not To Pass report accepted; bill died</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</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>

The effective date for non-emergency legislation enacted in the Second Regular Session (R2) is June 30, 2008. The effective date for non-emergency legislation enacted in the First Special Session (S1) is July 18, 2008.¹ The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills. Any bill summarized in this document having an LD number less than 1932 was a bill carried over from the First Regular Session of the 123rd Legislature.

¹ The session in which each law was enacted or finally passed (R2 or S1) is included in Appendix C.

Joint Standing Committee on Health and Human Services

LD 405 An Act Regarding MaineCare Pharmacy Professional Fees

PUBLIC 590

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LEWIN	OTP-AM	H-859

This bill directs the Department of Health and Human Services to amend the rules for MaineCare reimbursement to pharmacies for prescription drugs in order to increase the dispensing fee on a basis that is indexed to the Consumer Price Index and to provide other increases in reimbursement. The rules adopted are designated as routine technical rules.

Committee Amendment "A" (H-859)

This amendment replaces the bill. It provides a process for determining the cost of dispensing a medication under the MaineCare program, for reporting that information to legislative committees and for raising the professional fee paid to pharmacies for dispensing medications. It requires the Department of Health and Human Services, Office of MaineCare Services to consider adjusting the fee every 2 years.

Enacted Law Summary

Public Law 2007, chapter 590 provides a process for determining the cost of dispensing a medication under the MaineCare program, for reporting that information to legislative committees and for raising the professional fee paid to pharmacies for dispensing medications. It requires the Department of Health and Human Services, Office of MaineCare Services to consider adjusting the fee every 2 years.

LD 519 **Resolve, Regarding Supplemental Services under the National Family Caregiver Support Program**

**DIED ON
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL BRANNIGAN	OTP-AM	H-665

This bill allows family members, friends or neighbors to receive payment for providing personal care and health maintenance services to persons who receive Medicaid.

Committee Amendment "A" (H-665)

This amendment changes the bill to a resolve and changes the title. The amendment directs the Department of Health and Human Services to initiate a demonstration project regarding the provision of supplemental services provided under the federal National Family Caregiver Support Program. The project will provide funding of \$40,000 per Area Agency on Aging and will fund up to \$1,000 per consumer.

LD 652 **Resolve, To Ensure Appropriate Personal Needs Allowances for Persons Residing in Long-term Care Facilities**

**DIED BETWEEN
HOUSES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAUDOIN	ONTP MAJ OTP-AM MIN	

Joint Standing Committee on Health and Human Services

This resolve provides for amending Department of Health and Human Services rules to provide for increases in the personal needs allowances of residents in nursing facilities and residential care facilities from July 1, 2007 and provides for annual increases after July 1, 2008 that are indexed to the Consumer Price Index for medical services. The rules are designated as routine technical rules.

LD 1110 An Act To Create the Maine Council on Poverty and Economic Security

PUBLIC 641

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EDMONDS	OTP-AM	S-548

This bill creates the Maine Council on Poverty and Economic Security, which consists of 11 members including the Commissioner of Health and Human Services and the Commissioner of Labor or the commissioners' designees and 9 members appointed by the Governor representing the business community, nonprofit agencies, faith-based organizations and the general public, to advise the Governor on ending poverty and providing economic security to disadvantaged citizens in the State.

Committee Amendment "A" (S-548)

This amendment replaces the bill and creates the Maine Council on Poverty and Economic Security, with 21 members, supported by outside funding.

Enacted Law Summary

Public Law 2007, chapter 641 establishes the Maine Council on Poverty and economic Security to advise the Governor on ending poverty and providing economic security to disadvantaged citizens. There are 21 voting members and 5 nonvoting members. The council must be supported by outside funding. The council is required to report to the Governor and Legislature by February 15th each year.

LD 1567 Resolve, To Continue the Work of Preventing the Onset of Severe Mental Illness in Youth

RESOLVE 221

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EBERLE	OTP-AM	H-652 S-670 ROTUNDO

This resolve directs the Department of Health and Human Services to initiate a demonstration program to determine whether the methods used by the Portland Identification and Early Referral Program (PIER) can have the effect of preventing a substantial number of new cases of psychosis and psychotic disorders in young people from 12 years of age to 25 years of age. The demonstration program would provide financial resources to PIER to continue to prevent new cases of psychosis and psychotic disorders in the greater Portland area and would provide training and consultation necessary to ensure that a new program developed in the State will be as effective and reliable as PIER.

Committee Amendment "B" (H-652)

This amendment changes the title of the resolve. The amendment provides resources to the Portland Identification and Early Referral Program, or PIER, to continue to prevent new cases of psychosis and psychotic disorders in adolescents and young adults in the greater Portland area through a General Fund grant appropriation, an additional MaineCare appropriation and the matching federal allocation for some of the service costs of the project.

Senate Amendment "A" (S-670)