

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 706

H.P. 512

House of Representatives, February 20, 1991

Reference to the Committee on Human Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative NORTON of Winthrop.

Cosponsored by Senator CARPENTER of York, Representative ADAMS of Portland and Representative TUPPER of Orrington.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

**Resolve, to Establish the Commission to Study Chronic Fatigue and
Immune Dysfunction Syndrome.**

(EMERGENCY)

2 **Emergency preamble.** Whereas, Acts and resolves of the
Legislature do not become effective until 90 days after
adjournment unless enacted as emergencies; and

4
6 Whereas, there is increasing evidence of the existence of
chronic fatigue and immune dysfunction syndrome in Maine; and

8 Whereas, there is an urgent need to study this debilitating
disease that afflicts so many people; and

10
12 Whereas, the study proposed by this resolve must be
completed in time for a report to be submitted to the Second
Regular Session of the 115th Legislature and, therefore, it is
14 essential that the study be initiated as soon as possible; and

16 Whereas, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
18 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
20 safety; now, therefore, be it

22 **Sec. 1. Commission established. Resolved:** That the Commission
to Study Chronic Fatigue and Immune Dysfunction Syndrome is
24 established; and be it further

26 **Sec. 2. Commission membership. Resolved:** That the commission
consists of the following members:

28 1. Two members of the House of Representatives, to be
30 appointed by the Speaker of the House of Representatives;

32 2. One Senator, to be appointed by the President of the
Senate;

34 3. One professional from each of the following medical
36 specialties, to be appointed by the Governor, who must have
experience in the treatment or diagnosis of persons with chronic
38 fatigue and immune dysfunction syndrome: infectious diseases;
virology; immunology; urology; ophthalmology; otorhino-
40 laryngology; psychiatry and neurology;

42 4. One representative of the Bureau of Health, to be
appointed by the Commissioner of Human Services;

44 5. One representative of the Governor's office, to be
46 appointed by the Governor;

48 6. One representative of the Department of Education, to be
appointed by the Commissioner of Education;

50

2 7. One representative of the Bureau of Employment Security,
to be appointed by the Commissioner of Labor;

4 8. One member of the Central Maine Chronic Fatigue and
Immune Dysfunction Syndrome Association, to be appointed by the
6 Governor; and

8 9. One provider of health insurance from the private
sector, to be appointed by the Governor.

10 The commission shall ask the local supervisor of the Social
12 Security Administration to designate an employee to act as a
consultant to the commission; and be it further

14 **Sec. 3. Appointments; meetings. Resolved:** That all
16 appointments must be made no later than 30 days following the
effective date of this resolve. The President of the Senate and
18 the Speaker of the House of Representatives shall appoint jointly
the chair of the commission from among its members. When the
20 appointment of all members of the commission is completed, the
chair of the commission shall call the first meeting no later
22 than August 15, 1991; and be it further

24 **Sec. 4. Duties. Resolved:** That the commission shall conduct a
study relating to the increasingly evident existence of chronic
26 fatigue and immune dysfunction syndrome in Maine. In conducting
the study the commission shall:

28 1. Review the findings and recommendations presented in the
30 April, 1987 report on Chronic Epstein-Barr, Chronic Fatigue
Syndrome virus infection prepared by the National Institutes of
32 Health of the Department of Health and Human Services;

34 2. Develop means of educating health care professionals
throughout the State to help increase awareness of the illness as
36 well as the needs of those who suffer from the illness;

38 3. Create a registry of doctors, knowledgeable about the
latest information and treatment of the illness, who are
40 available for patient referral in the State; and

42 4. Develop plans to accomplish the following long-term
goals:

44 A. Establishment of a clinic in the State for treatment of
46 patients with chronic fatigue and immune dysfunction
syndrome or referral when necessary. The clinic will:

2 (1) Report all diagnoses of chronic fatigue and immune
dysfunction syndrome to the Department of Human
4 Services, Bureau of Health for follow-up and referral
and also for forwarding to the Division of Disease
6 Control;

8 (2) Refer patients and families to counselors who are
familiar with chronic fatigue and immune dysfunction
10 syndrome and chronic illness to aid them in coping with
the disease; and

12 (3) Provide information regarding in-home services,
14 such as physicians and visiting nurses, laboratory
services, domestic care and tutorial services for
16 students who have chronic fatigue and immune
dysfunction syndrome;

18 B. Establishment of educational programs to inform and
20 provide current information to patients and their families
as well as school officials and to create an awareness of
22 other diseases that imitate chronic fatigue and immune
dysfunction syndrome; and

24 C. Development of guidelines for the providers of health
26 insurance, temporary disability, social security and general
public assistance regarding the inclusion of chronic fatigue
28 and immune dysfunction syndrome in their coverage; and be it
further

30 **Sec. 5. Report. Resolved:** That the commission shall submit
32 its report together with any necessary implementing legislation
to the Second Regular Session of the 115th Legislature before
34 November 1, 1991; and be it further

36 **Sec. 6. Staff assistance. Resolved:** That the Bureau of Health
shall staff the commission. The commission may request
38 additional staff assistance from state agencies represented on
the commission; and be it further

40 **Sec. 7. Reimbursement. Resolved:** That the members of the
42 commission who are Legislators are entitled to receive the
legislative per diem, as defined in the Maine Revised Statutes,
44 Title 3, section 2, for days of attendance at commission
meetings. All members of the commission who are not state
46 employees are entitled to receive expenses, as defined in Title
5, section 12002, upon application to the Director of the Bureau
48 of Health for those expenses; and be it further

50 **Sec. 8. Appropriation. Resolved:** That the following funds are
appropriated from the General Fund to carry out the purposes of
52 this Act.

2

4

HUMAN SERVICES, DEPARTMENT OF

6

Bureau of Health

8

Personal Services

\$825

All Other

3,500

10

12

14

Provides funds for the per diem of
Legislative members and meeting expenses for
the Commission to Study Chronic Fatigue and
Immune Dysfunction Syndrome.

16

DEPARTMENT OF HUMAN SERVICES

TOTAL

\$4,325

18

20

Emergency clause. In view of the emergency cited in the
preamble, this resolve takes effect when approved.

22

STATEMENT OF FACT

24

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This resolve establishes the Commission to Study Chronic
Fatigue and Immune Dysfunction Syndrome and includes an
appropriation.

28

30

The commission will address the immediate and long-range
needs of those afflicted with the illness.