

MAINE STATE LEGISLATURE

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DATE: 5-30-03

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MAJORITY
HEALTH AND HUMAN SERVICES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 224, L.D. 281, "Resolve, Regarding the Criminal Records of Certified Nursing Assistants"

Amend the resolve by striking out the title and substituting the following:

'Resolve, Regarding the Operation of the Maine Registry of Certified Nursing Assistants'

Further amend the resolve by striking out everything after the title and before the summary and inserting in its place the following:

'Sec. 1. Rulemaking by Department of Public Safety. Resolved: That, by November 1, 2003, the Department of Public Safety shall amend the rules governing access to criminal history record information to grant free access to criminal history record checks for the Maine Registry of Certified Nursing Assistants. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A; and be it further

Sec. 2. Rulemaking by Department of Education. Resolved: That, by November 1, 2003, the Department of Education shall amend the rules governing training programs for certified nursing assistants to provide for payment for the initial criminal history record check for individuals who enroll in or complete a course, such payment to be included as part of the course fee. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A; and be it further

Sec. 3. Report. Resolved: That, by December 31, 2003, July 1, 2004 and December 31, 2004, the Department of Human Services shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters on the method of conducting criminal history record checks for the Maine Registry of Certified Nursing Assistants. The report must include progress in moving to a method that uses fingerprinting of the applicant and that searches for criminal history on a national basis; and be it further

Sec. 4. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

PUBLIC SAFETY, DEPARTMENT OF

State Police 0291

Initiative: Appropriates funds for the establishment of 2 Identification Specialist II positions and operating costs necessary for the processing of background checks for certified nursing assistants.

General Fund	2003-04	2004-05
Positions - Legislative Count	(2,000)	(2,000)
Personal Services	\$26,261	\$36,475
All Other	16,130	17,133
General Fund Total	\$42,392	\$53,609
Highway Fund	2003-04	2004-05
Personal Services	\$44,716	\$62,107
All Other	27,465	29,173
Highway Fund Total	\$72,180	\$91,279'

SUMMARY

This amendment is the majority report of the committee. The amendment replaces the resolve. It deletes the portions of the resolve pertaining to InforME and the portions pertaining to access to criminal history record information. It retains the provision on payment for criminal history record checks for the Maine Registry of Certified Nursing Assistants. It requires the Department of Public Safety to amend the rules regarding criminal history record checks to grant free access to the Maine Registry of Certified Nursing Assistants. It requires rulemaking by the Department of Education on including the cost of the first record

COMMITTEE AMENDMENT "A" to H.P. 224, L.D. 281

2 check in a course fee. It requires a series of reports to the
Legislature from the Department of Human Services on information
4 about national record checks and fingerprint-based checks. The
amendment adds an appropriations and allocations section for the
6 Department of Public Safety for costs associated with processing
background checks.

8

FISCAL NOTE REQUIRED
(See attached)

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**121st Maine Legislature
Office of Fiscal and Program Review**



LD 281

**Resolve, Regarding the Operation of the Maine Registry of Certified
Nursing Assistants**

LR 1284(02)

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Health and Human Services

Fiscal Note Required: Yes

Fiscal Note

	2003-04	2004-05	Projections 2005-06	Projections 2006-07
Net Cost (Savings)				
General Fund	\$42,392	\$53,609	\$53,609	\$53,609
Highway Fund	\$72,180	\$91,279	\$91,279	\$91,279
Appropriations/Allocations				
General Fund	\$42,392	\$53,609	\$53,609	\$53,609
Highway Fund	\$72,180	\$91,279	\$91,279	\$91,279

Fiscal Detail and Notes

As amended, this bill includes General Fund appropriations and Highway Fund allocations for the State Police program within the Department of Public Safety for the costs associated with processing background checks for certified nursing assistants.

Any additional costs to the Department of Education and the Department of Public Safety associated with rulemaking can be absorbed utilizing existing budgeted resources. Any additional costs to the Department of Human Services associated with the report required under the bill can be absorbed utilizing existing resources.