

MAINE STATE LEGISLATURE

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DATE: 4-22-04

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APPROPRIATIONS AND FINANCIAL AFFAIRS

Reported by:

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STATE OF MAINE
SENATE
121ST LEGISLATURE
SECOND SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S.P. 204, L.D. 595, Bill, "An Act To Appropriate Funds for a Study To Determine the Feasibility of a Medical School in Maine"

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

'Resolve, To Create the Commission To Study the Recruitment, Training and Retention of Physicians for Rural and Medically Underserved Areas of Maine'

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

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

Whereas, it has been reported that many hospitals and towns in rural areas of the State are unable to attract enough physicians and must rely on programs that supply physicians on a temporary or transient basis; and

Whereas, many of the graduates of the Access to Medical Education Program do not return or stay to practice in the State of Maine; and

Whereas, Maine people deserve a system that provides a stable and reliable physician workforce, and difficulty in accessing physician services constitutes an immediate hardship for many Maine residents; and

COMMITTEE AMENDMENT

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

Sec. 1. Commission established. Resolved: That the Commission to Study the Recruitment, Training and Retention of Physicians for Rural and Medically Underserved Areas of Maine, referred to in this resolve as "the commission," is established; and be it further

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

1. Two members of the House of Representatives appointed by the Speaker of the House as follows:

A. One member of the House who is a member of the Joint Standing Committee on Health and Human Services; and

B. One member of the House who is a member of the Joint Standing Committee on Education and Cultural Affairs;

2. Two members of the Senate appointed by the President of the Senate as follows:

A. One member of the Senate who is a member of the Joint Standing Committee on Health and Human Services; and

B. One member of the Senate who is a member of the Joint Standing Committee on Insurance and Financial Services;

3. One member from the Maine Osteopathic Association appointed by the Speaker of the House;

4. One member from the Maine Medical Association appointed by the Speaker of the House;

5. One member representing rural hospitals from the Maine Hospital Association appointed by the Speaker of the House;

6. Three members, one member representing each medical school participating in the Access to Medical Education Program, appointed by the President of the Senate;

7. The Chief Executive Officer of the Finance Authority of Maine, or that officer's designee;

2 8. The Director of the Governor's Office of Health Policy
and Finance, or the director's designee;

4 9. The Commissioner of Education, or the commissioner's
designee;

6 10. The President of the Maine Hospital Association, or the
8 president's designee;

10 11. The Executive Director of the Maine Primary Care
Association, or the director's designee;

12 12. A representative of the University of Maine System
14 designated by the chancellor;

16 13. Four members, one appointed by each member of the Maine
Congressional Delegation; and

18 14. The Director of the Maine Recruitment Center, or the
20 director's designee; and be it further

22 **Sec. 3. Chairs. Resolved:** That the first named Senate member
is the Senate chair of the commission and the first named House
24 of Representatives member is the House chair of the commission;
and be it further

26 **Sec. 4. Appointments; convening of commission. Resolved:** That
28 all appointments must be made no later than 30 days following the
effective date of this resolve. All appointing authorities must
30 notify the Executive Director of the Legislative Council once the
selections have been made. Within 30 days after appointments of
32 all members and the requirements of section 7 have been
satisfied, the chairs shall call and convene the first meeting of
34 the commission; and be it further

36 **Sec. 5. Duties. Resolved:** That the commission shall study the
State's current policies regarding the recruitment, training, and
38 retention of physicians and how these policies could be changed
to improve the recruitment, training and retention of physicians
40 for the rural and medically underserved areas of the State.

42 1. In conducting the study, the commission shall:

44 A. Develop recommendations to encourage the aspirations of
Maine students to seek careers as physicians and to attend
46 medical schools participating in the Access to Medical
Education Program;

H. 019

2 B. Develop recommendations to encourage medical schools
participating in the Access to Medical Education Program to
4 accept more Maine students or to expand the program to other
schools or to accomplish both goals;

6 C. Develop recommendations to expand and improve
experiential training in rural and underserved areas in the
8 State for students in the Access to Medical Education
Program;

10 D. Develop recommendations to expand and improve intern and
12 residency training at existing and new sites in rural and
underserved areas for allopathic and osteopathic graduates;

14 E. Develop recommendations to reduce the indebtedness of
16 Maine students pursuing medical education; and

18 F. Develop recommendations to address any current and
20 future physician shortages and distribution issues.

22 2. In examining these questions, the commission may:

24 A. Hold hearings throughout the State;

26 B. Conduct, summarize and analyze the results of literature
searches and studies on the recruitment, training and
28 retention of physicians and study why physicians who are
educated or trained or are both educated and trained in the
State leave to practice elsewhere;

30 C. Conduct, tabulate and analyze the results of a survey of
32 the public or affected persons and groups;

34 D. Procure and analyze relevant data to establish the most
cost-effective and efficient way to attract more physicians
36 to the State to establish practices in rural and underserved
areas. If such an analysis is performed, the commission
38 shall examine the issue of physician reimbursement; and be
it further

40 **Sec. 6. Staff assistance. Resolved:** That the commission must be
42 staffed and supported by the Area Health Education Center at the
University of New England; and be it further

44 **Sec. 7. Funding. Resolved:** That the commission may seek and
46 accept other sources of funds to advance its work. Prompt notice
of solicitation and acceptance of funds must be sent to the
48 Legislative Council. All funds accepted are administered through
the Area Health Education Center at the University of New
50 England. An accounting record that includes the amount of

2 funds, the date the funds were received, from whom the funds were
3 received and the purpose and any limitation on the use of the
4 funds must be forwarded to the Executive Director of the
5 Legislative Council. A portion of these funds must be
6 transferred to the Office of the Executive Director of the
7 Legislative Council to satisfy the requirements of section 8 of
8 this resolve. If sufficient outside funding has not been
9 received by August 15, 2004 to fully fund all costs of the
10 commission, meetings are not authorized and expenses may not be
11 incurred or reimbursed. Contributions to support the work of the
12 commission may not be accepted from any party having a pecuniary
13 or other vested interest in the outcome of the matters being
14 studied. Any person, other than a state agency, desiring to make
15 a financial or in-kind contribution must certify to the
16 Legislative Council that it has no pecuniary or other vested
17 interest in the outcome of the study. The certification must be
18 made in the manner prescribed by the Legislative Council. All
19 contributions are subject to approval by the Legislative
20 Council. An accounting record of all funds accepted that
21 includes the amount of funds, the date the funds were received,
22 from whom the funds were received and the purpose of and any
23 limitation on the use of those funds must be forwarded to the
24 Executive Director of the Legislative Council. The executive
25 director administers any funds received by the commission for the
26 payment of per diem and expenses for legislative members. The
27 executive director shall notify the chairs of the commission when
28 sufficient funding has been received and all appointments have
29 been made pursuant to section 4; and be it further

30 **Sec. 8. Compensation of legislative members. Resolved:** That the
31 legislative members of the commission are entitled to the
32 legislative per diem, as defined in the Maine Revised Statutes,
33 Title 3, section 2, and reimbursement for travel and other
34 necessary expenses related to their attendance at authorized
35 meetings of the commission. The compensation must be
36 administered through the Office of the Executive Director of the
37 Legislative Council. Public members of the commission who are
38 not otherwise compensated by their employers or other entities
39 that they represent are entitled to receive reimbursement of
40 necessary expenses and, upon demonstration of financial hardship,
41 a per diem equal to the legislative per diem for their attendance
42 at authorized meetings of the commission. Such compensation must
43 be administered through the Area Health Education Center at the
44 University of New England; and be it further

45 **Sec. 9. Report. Resolved:** That, no later than November 1,
46 2004, the commission shall submit a report that includes its
47 findings and recommendations, including any suggested legislation
48 to implement its recommendations, for presentation to the First
49 Regular Session of the 122nd Legislature; and be it further
50

2 **Sec. 10. Extension. Resolved:** That, if the commission requires
a limited extension of time to complete its study and make its
4 report, it may apply to the Legislative Council and the Area
Health Education Center at the University of New England, which
6 together may grant an extension; and be it further

8 **Sec. 11. Commission budget. Resolved:** That the chairs of the
commission, with assistance from the commission staff, shall
10 administer the commission's budget. Within 10 days after its
first meeting, the commission shall present a work plan and
12 proposed budget to the Area Health Education Center at the
University of New England and a copy to the Office of the
14 Executive Director of the Legislative Council, for their
approval. The commission may not incur expenses that would
16 result in the commission's exceeding its approved budget. Upon
request from the commission, the Area Health Education Center at
18 the University of New England shall promptly provide the
commission chairs and staff with a status report on the
20 commission budget, expenditures incurred and paid and available
funds; and be it further

22 **Sec. 12. Appropriations and allocations. Resolved:** That the
24 following appropriations and allocations are made.

26 **LEGISLATURE**

28 **Commission to Study the Recruitment, Training and Retention of
Physicians for Rural and Medically Underserved Areas of Maine**

30 Initiative: Allocates funds, transferred from the Area Health
32 Education Center at the University of New England, to authorize
the per diem and expenditures of the legislative members of the
34 Commission to Study the Recruitment, Training and Retention of
Physicians for Rural and Medically Underserved Areas of Maine.
36 The cost reflects the 4 legislative members' attending 4
authorized meetings of the commission. If more than 4 meetings
38 are authorized, additional resources will have to be transferred
from the Area Health Education Center at the University of New
40 England and allotted via Financial Order.

42 Other Special Revenue Funds	2003-04	2004-05
44 Personal Services	\$0	\$880
All Other	0	800
46 Other Special Revenue Funds Total	\$0	\$1,680

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

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SUMMARY

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This amendment changes the bill into a resolve creating the Commission to Study the Recruitment, Training and Retention of Physicians for Rural and Medically Underserved Areas of Maine.

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FISCAL NOTE REQUIRED
(See attached)

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



LD 595

**An Act to Appropriate Funds for a Study To Determine the Feasibility of
a Medical School in Maine**

LR 0783(02)

**Fiscal Note for Bill as Amended by Committee Amendment "A"
Committee: Appropriations and Financial Affairs**

Fiscal Note Required: Yes

Fiscal Note

Current Costs - Legislative Study

Legislative Study

The projected costs to fund the per diem and expenses of legislative members of the proposed study is estimated to be \$1,680 in fiscal year 2004-05. This legislation proposes to allocate funds transferred from the Maine Area Health Education Center (AHEC) at the University of New England as other special revenue to the Legislature to pay for the above mentioned legislative costs. This legislation further stipulates that if sufficient outside funding has not been received by August 15, 2004 to fully fund all costs of the commission, no meetings are authorized and no expenses of any kind may be incurred or reimbursed.