

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 865

H.P. 596

House of Representatives, March 5, 2009

An Act To Change the Maine HIV Advisory Committee

Reference to the Committee on Health and Human Services suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative CAREY of Lewiston.
Cosponsored by Senator BARTLETT of Cumberland and
Representatives: PERRY of Calais, PETERSON of Rumford, Speaker PINGREE of North
Haven, STUCKEY of Portland, Senator: BRANNIGAN of Cumberland.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 5 MRSA §19202, sub-§1-A,** as enacted by PL 1999, c. 390, §2 and
3 affected by §10, is repealed.

4 **Sec. 2. 5 MRSA §19202, sub-§1-B** is enacted to read:

5 **1-B. Duties.** The Maine HIV Advisory Committee as established in section 12004-I,
6 subsection 42 and referred to in this section as "the committee," on behalf of those
7 individuals infected by, at risk for or affected by the human immunodeficiency virus,
8 referred to in this section as "HIV," in the State, shall:

9 A. Advise the Office of the Governor and state, federal and private sector agencies,
10 officials and committees on HIV-related and AIDS-related policy, planning or rules;

11 B. Make an annual assessment of emerging HIV-related issues and trends;

12 C. Make an annual assessment of budget proposals at state agencies related to HIV;

13 D. Initiate and respond to legislation, both state and federal; and

14 E. Prepare and present, in person, an annual report on the status of HIV in the State
15 to the Office of the Governor and the joint standing committee of the Legislature
16 having jurisdiction over health and human services matters by January 15th of each
17 year.

18 **Sec. 3. 5 MRSA §19202, sub-§2-A, ¶C,** as enacted by PL 1999, c. 390, §4 and
19 affected by §10 and amended by PL 2003, c. 689, Pt. B, §§6 and 7, is further amended to
20 read:

21 C. The membership consists of the following:

22 (1) Two members of the Legislature, one Senator appointed by the President of
23 the Senate and one Representative appointed by the Speaker of the House of
24 Representatives;

25 (2) Four representatives of entities serving persons infected with HIV or affected
26 by HIV, chosen by the membership committee from nominations provided by the
27 following:

28 (a) A representative of the Department of Health and Human Services,
29 Bureau of Health, HIV/STD program, nominated by the Commissioner of
30 Health and Human Services;

31 (b) A representative of the office managing the funds under the federal Ryan
32 White Comprehensive AIDS Resources Emergency Act of 1990, 104 Stat.
33 576 (1990), as amended, in the Department of Health and Human Services,
34 Auditing, Contracting and Licensing Service Center, nominated by the
35 Commissioner of Health and Human Services;

36 (c) A representative of the Department of Health and Human Services,
37 Office of Substance Abuse, nominated by the Commissioner of Health and
38 Human Services;

- 1 (d) A representative of the Department of Education, nominated by the
- 2 Commissioner of Education;
- 3 (e) A representative of the Department of Corrections, nominated by the
- 4 Commissioner of Corrections; and
- 5 (f) A representative of the Department of Public Safety, nominated by the
- 6 Commissioner of Public Safety;
- 7 (3) Three representatives of persons with HIV or at risk for HIV infection or
- 8 from organizations with extensive participation of persons with HIV, chosen by
- 9 the membership committee from nominations provided by organizations
- 10 interested in and working on HIV/AIDS prevention and health, other community-
- 11 based organizations providing HIV/AIDS services, rural health centers and the
- 12 public;
- 13 (4) Four health care practitioners involved with HIV/AIDS treatment and care
- 14 issues, chosen by the membership committee from nominations provided by
- 15 professional organizations representing allopathic and osteopathic physicians,
- 16 nurses, dentists, hospitals, infection control practitioners, pharmacists and rural
- 17 health centers;
- 18 (5) Four providers of other services to persons at increased risk for HIV infection
- 19 or persons with HIV to be chosen by the membership committee from the
- 20 following:
 - 21 (a) A provider of services to homeless persons, nominated by a statewide
 - 22 organization of providers of services to the homeless; ...
 - 23 (b) A provider of services to high-risk youth and injection drug users and a
 - 24 provider of mental health or developmental disabilities services, nominated
 - 25 by a statewide organization of providers of such services;
 - 26 (c) A provider of services to persons with hemophilia, nominated by
 - 27 statewide organizations concerned with hemophilia; and
 - 28 (d) A provider of services to persons with HIV, nominated by a statewide
 - 29 organization concerned with HIV; and
- 30 (6) Four persons representing interests related to HIV, HIV prevention or HIV
- 31 policy, to be chosen by the membership committee from the following:
 - 32 (a) Representatives of statewide organizations concerned with family
 - 33 planning, public health, HIV prevention and treatment, organized labor,
 - 34 clergy, ~~funeral directors~~, civil rights and disability rights, nominated by those
 - 35 organizations;
 - 36 (b) A representative of families with school-aged children, nominated by
 - 37 members of the public; and
 - 38 (c) A representative of the Maine Human Rights Commission.

39 **Sec. 4. 5 MRSA §19202, sub-§4**, as amended by PL 1999, c. 390, §7 and
 40 affected by §10, is further amended to read:

