

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ER
ROS

L.D. 1001

Date: 6-15-2021

(Filing No. H-636)

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
FIRST SPECIAL SESSION

HOUSE AMENDMENT "A" to H.P. 739, L.D. 1001, "An Act To Ensure Parents' Access to Their Minor and Adult Children with Special Needs"

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

'Resolve, To Establish a Task Force To Study Procedures To Ensure Individuals with Intellectual Disabilities or Autism Have Access to Family Members during Hospitalizations'

Amend the bill by striking out everything after the title and inserting the following:

'Sec. 1. Task force established. Resolved: That the Task Force To Study Procedures To Ensure Individuals with Intellectual Disabilities or Autism Have Access to Family Members during Hospitalizations, referred to in this resolve as "the task force," is established.

Sec. 2. Task force membership. Resolved: That, notwithstanding Joint Rule 353, the task force consists of 17 members appointed as follows:

1. Three members of the Senate appointed by the President of the Senate, including a member from each of the 2 parties holding the largest number of seats in the Legislature;

2. Five members of the House of Representatives appointed by the Speaker of the House, including a member from each of the 2 parties holding the largest number of seats in the Legislature;

3. One member who represents a statewide hospital association;

4. One member who represents a statewide nursing home or residential care association;

5. One member who represents a statewide organization that advocates for individuals with intellectual disabilities or autism;

6. Two members who represent individuals working in the health care industry;

7. Two members who are the parent or guardian of an individual with an intellectual disability or autism in the State;

8. The Commissioner of Health and Human Services or the commissioner's designee; and

ROS

9. The Attorney General or the Attorney General's designee.

Sec. 3. Chairs. Resolved: That the first Senate member appointed by the President of the Senate and the first House member appointed by the Speaker of the House are the cochair of the task force.

Sec. 4. Appointments; convening of task force. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the cochair shall call and convene the first meeting of the task force. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the cochair may request authority and the Legislative Council may grant authority for the task force to meet and conduct its business.

Sec. 5. Duties. Resolved: That the task force shall review current policies regarding parental or guardian access to a hospitalized individual with intellectual disabilities or autism with particular focus on access during a pandemic or similar situation. The review must consider remote access policies and in-person access policies with the goal of ensuring the most access possible while still ensuring the safety of patients, guardians, health care workers and the public at large.

Sec. 6. Staff assistance. Resolved: That, notwithstanding Joint Rule 353, the Legislative Council shall provide necessary staffing services to the task force, except that Legislative Council staff support is not authorized when the Legislature is in regular or special session.

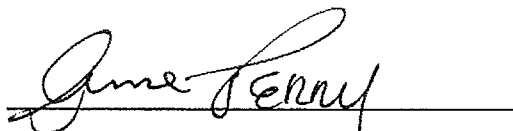
Sec. 7. Report. Resolved: That, no later than December 1, 2021, the task force shall submit a report to the Joint Standing Committee on Health and Human Services that includes its findings and recommendations, including any suggested legislation, for presentation to the Second Regular Session of the 130th Legislature.

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment replaces the bill with a resolve. The amendment establishes the 17-member Task Force To Study Procedures To Ensure Individuals with Intellectual Disabilities or Autism Have Access to Family Members during Hospitalizations to review current policies regarding parental or guardian access to a hospitalized individual with intellectual disabilities or autism. The amendment requires that the task force submit a report to the Joint Standing Committee on Health and Human Services no later than December 1, 2021. The amendment removes the emergency preamble and emergency clause.

SPONSORED BY:



(Representative PERRY, A.)

TOWN: Calais

FISCAL NOTE REQUIRED
(See Attached)



130th MAINE LEGISLATURE

LD 1001

LR 1433(04)

An Act To Ensure Parents' Access to Their Minor and Adult Children with Special Needs

Fiscal Note for House Amendment "A" to Original Bill

Sponsor: Rep. Perry of Calais

Fiscal Note Required: Yes

(H-636)

Fiscal Note

Legislative Cost/Study

Legislative Cost/Study

The general operating expenses of this study are projected to be \$4,250 in fiscal year 2021-22. The Legislature's budget for the 2022-2023 biennium includes \$10,000 in fiscal year 2021-22 and \$10,000 in fiscal year 2022-23 for the costs of legislative studies, as well as \$21,260 of balances carried over from prior years for this purpose. Whether these amounts are sufficient to fund all studies will depend on the number of studies authorized by the Legislative Council and the Legislature. The additional costs of providing staffing assistance to the study during the interim can be absorbed utilizing existing budgeted staff resources.

Fiscal Detail and Notes

Additional costs to the Department of Health and Human Services and the Office of the Attorney General to participate on the task force are assumed to be minor and can be absorbed within existing budgeted resources.