

# MAINE STATE LEGISLATURE

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SAC  
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L.D. 1241

Date: 6-8-21

(Filing No. H-474)

MINORITY  
HEALTH AND HUMAN SERVICES

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

COMMITTEE AMENDMENT <sup>A</sup> to H.P. 907, L.D. 1241, "An Act To Establish More Transparency, Due Process, Education and Understanding between the Department of Health and Human Services and Certain Maine Businesses"

Amend the bill by striking out all of section 1 and inserting the following:

'Sec. 1. 22 MRSA §2496, sub-§3 is enacted to read:

3. Complaint procedures; information disclosures. The department shall develop a standard procedure for investigating each complaint against an establishment licensed pursuant to section 2492, subsection 1. When the department or a delegated municipality has investigated the complaint and determined the corrective actions required by the licensed establishment for compliance with all licensing requirements, the following must be disclosed to the owner or person in charge of the establishment:

A. The nature of the complaint, the name and contact information of the complainant and the method of submitting the complaint; or a copy of the complaint form that provides this information;

B. The name and contact information for the designated officer or employee of the department or representative of the delegated municipality responsible for investigating the complaint;

C. The location on the department's publicly accessible website of the law, rule, executive order or policy that the establishment is violating;

D. The location on the department's publicly accessible website of any scientific or educational materials previously distributed to establishments relevant to the complaint;

E. The list of corrective actions, and related timelines, necessary to establish compliance;

F. Written confirmation when corrective actions have been completed;

G. The rights and appeals processes available to establishments; and

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1 H. Possible accommodations or alternatives available as exceptions to requirements.'

2 Amend the bill by striking out all of section 3 and inserting the following:

3 'Sec. 3. 22 MRSA §2496, sub-§5 is enacted to read:

4 5. Scientific and educational materials. Materials that are scientific or educational  
5 that are distributed to establishments licensed pursuant to section 2492, subsection 1 but  
6 that are not considered requirements for licensing or compliance with law or rules must be  
7 clearly identified as unnecessary for compliance with licensing requirements.'

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

10 **SUMMARY**

11 This amendment is the minority report. It makes the following changes to the bill.

12 1. It allows for a copy of the complaint form to be used to provide information on the  
13 nature of the complaint, name and contact information of the complainant and method of  
14 submitting the complaint.

15 2. It requires the location of information on the Department of Health and Human  
16 Services' publicly accessible website to be provided to the establishment instead of copies  
17 of laws, regulations and scientific or educational materials.

18 3. It removes the requirement for notice to be provided to an establishment by the  
19 department or a municipality to discuss scientific and educational materials that are not  
20 requirements for licensing.

21 **FISCAL NOTE REQUIRED**

22 (See attached)



# 130th MAINE LEGISLATURE

LD 1241

LR 1774(02)

**An Act To Establish More Transparency, Due Process, Education and Understanding between the Department of Health and Human Services and Certain Maine Businesses**

**Fiscal Note for Bill as Amended by Committee Amendment *A(H-474)***  
**Committee: Health and Human Services**  
**Fiscal Note Required: Yes**

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## Fiscal Note

Minor cost increase - General Fund

### Fiscal Detail and Notes

Any additional costs to the Department of Health and Human Services to adopt the changes in this bill are expected to be minor and can be absorbed within existing budgeted resources.