

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 electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SIXTEENTH LEGISLATURE

SECOND REGULAR SESSION

January 5, 1994 to April 14, 1994

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 14, 1994

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1993

B. The Chief Administrative Officer of the Bangor Mental Health Institute reports directly to the Chief Administrative Officer of the Augusta Mental Health Institute, who in turn reports directly to the commissioner. The Chief Administrative ~~Officers~~ Officer of Pineland Center and the Aroostook Residential Center ~~report reports~~ directly to the ~~Associate Commissioner for Programs~~ Chief Administrative Officer of the Pineland Center, who in turn reports directly to the commissioner.

Sec. 3. 34-B MRSA §5402, sub-§3, ¶B, as enacted by PL 1983, c. 459, §7, is amended to read:

B. The appointment is ~~for an indefinite term and until his successor is appointed and qualified, or during~~ at the pleasure of the commissioner.

Sec. 4. 34-B MRSA §5402, sub-§4, ¶B, as enacted by PL 1983, c. 459, §7, is amended to read:

B. Be responsible for the discharge of all such persons, except those placed in Pineland Center under Title 15, section ~~404~~ 101-B or 103; and

Sec. 5. 34-B MRSA §5402, sub-§4, ¶C, as amended by PL 1993, c. 410, Pt. CCC, §33, is further amended to read:

C. Have ~~direct supervision, management and control of the grounds, buildings, property, officers and employees~~ general superintendence of the Pineland Center, subject to the approval of the Associate Commissioner for Programs and its grounds and of the Division of Mental Retardation under the direction of the commissioner.

Sec. 6. 34-B MRSA §5403, sub-§3, ¶C, as amended by PL 1993, c. 410, Pt. CCC, §34, is further amended to read:

C. Have direct supervision, management and control of the grounds, buildings, property, officers and employees of the Aroostook Residential Center, subject to the approval of the ~~Associate Commissioner for Programs~~ Superintendent of the Pineland Center.

Sec. 7. Report. By December 1, 1994, the Commissioner of Mental Health and Mental Retardation shall submit legislation to the Joint Standing Committee on Human Resources that realigns management responsibilities to reflect the changing balance within the department between institutional services and community-based services. The legislation must include a supervisory structure in which the Aroostook Residential Center and the Pineland Center are overseen by the Division of Mental Retardation, which in turn is overseen by the commissioner. The

report must recommend a supervisory structure in which the Bangor Mental Health Institute and the Augusta Mental Health Institute are overseen by the Division of Mental Health, which in turn is overseen by the commissioner. The report may include, but is not limited to, elimination of positions and creation of more appropriate positions, realignment of responsibilities for existing positions and changes in pay as appropriate.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective April 12, 1994.

CHAPTER 668

H.P. 1482 - L.D. 2007

An Act to Clarify the Process for Filling Unexpired Terms for School Board Members

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

Sec. 1. 20-A MRSA §1653, sub-§1, ¶C, as amended by PL 1991, c. 655, §3, is further amended to read:

C. Notwithstanding paragraphs A and B, the voters of a district may vote on an appropriate article at meetings called by the municipal officers of the respective member towns, in accordance with section 1602, to establish a fixed common date for all newly elected school committee members to assume their terms of office. The common date must be subsequent to the last annual municipal election within the district, but may be no later than July 1st of the next fiscal year. The adoption of such a common date is conditional upon the favorable passage of this article at each of the meetings of the member towns. This paragraph does not apply to commencement of terms of office of members elected to fill vacancies. Vacancies are filled for the remainder of the unexpired term as provided in subsection 2, paragraph A.

Sec. 2. 20-A MRSA §1653, sub-§2, ¶A, as amended by PL 1991, c. 655, §3, is further amended to read:

A. A vacancy on a school committee of a district that does not include kindergarten and grades one to 12, whether caused by death, by resignation or by a member having changed residence from the town that the member was

elected to represent, must be filled by the school committee of the town in which the vacancy occurs. A similar vacancy on a school committee of a district that includes kindergarten and grades one to 12 must be filled by the municipal officers of the municipality in which the member resided. The municipal officers shall select a new member from the municipality in which the old member resided to serve until the next annual municipal election at which time a replacement must be elected to serve the remainder of the unexpired term. Evidence that an individual is registered to vote in a municipality is prima facie evidence of that individual's residency.

See title page for effective date.

CHAPTER 669

H.P. 1461 - L.D. 1986

An Act Regarding Access to Chiropractic Services

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

Sec. 1. 24 MRSA §2303-C, sub-§3, as amended by PL 1989, c. 141, §1, is further amended to read:

3. Report to Superintendent of Insurance. Every nonprofit hospital or medical service organization subject to this section shall report its experience for each calendar year to the Superintendent of Insurance not later than April 30th of the following year. The report ~~shall~~ must be in a form prescribed by the superintendent and ~~shall~~ include the amount of claims paid in this State for the services required by this section and the total amount of claims paid in this State for group health care contracts. The report must include complaints concerning access to services under this section and the results of those complaints. The superintendent shall compile this data for all nonprofit hospital or medical service organizations in an annual report.

Sec. 2. 24-A MRSA §2748, sub-§3, as amended by PL 1989, c. 141, §3, is further amended to read:

3. Report to Superintendent of Insurance. Every insurer subject to this section shall report its experience for each calendar year to the Superintendent of Insurance not later than April 30th of the following year. The report ~~shall~~ must be in a form prescribed by the superintendent and ~~shall~~ include the amount of claims paid in this State for the services

required by this section and the total amount of claims paid in this State for health care contracts. The report must include complaints concerning access to services under this section and the results of those complaints. The superintendent shall compile this data for all insurers in an annual report.

Sec. 3. 24-A MRSA §2840-A, sub-§3, as amended by PL 1989, c. 141, §5, is further amended to read:

3. Reports to the Superintendent of Insurance. Every insurer subject to this section shall report its experience for each calendar year to the Superintendent of Insurance not later than April 30th of the following year. The report ~~shall~~ must be in a form prescribed by the superintendent and ~~shall~~ include the amount of claims paid in this State for the services required by this section and the total amount of claims paid in this State for health care contracts. The report must include complaints concerning access to services under this section and the results of those complaints. The superintendent shall compile this data for all insurers in an annual report.

Sec. 4. 24-A MRSA §4211, sub-§2, ¶B, as enacted by PL 1975, c. 503, is amended to read:

B. The total number and disposition of complaints handled through ~~such~~ the complaint system and a compilation of causes underlying the complaints filed. Complaints concerning access to chiropractic providers and the results of those complaints must be separately identified; and

Sec. 5. 24-A MRSA §4228, sub-§1, ¶A, as enacted by PL 1987, c. 168, §5, is amended to read:

A. The number and type of evaluations performed.

(1) For the purposes of this section, the term "type of evaluations" means the following preutilization review categories: ~~Presurgical~~ presurgical inpatient days; setting of medical service, such as inpatient or outpatient services; and the number of days of service;

(2) The report must separately identify the number of evaluations performed in which the health care services requested or provided include chiropractic services and the results of those evaluations;

Sec. 6. 24-A MRSA §4236 is enacted to read: