

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 TWENTIETH LEGISLATURE
FIRST REGULAR SESSION
December 6, 2000 to June 22, 2001

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 21, 2001

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
2001

4. The member who is a representative of the Maine Forest Products Council is appointed for a one-year term ending December 31, 2002;

5. The member who is a representative of the commercial motor vehicle insurance industry is appointed for a 3-year term ending December 31, 2004;

6. The member who is a representative of the Maine Professional Drivers' Association is appointed for a one-year term ending December 31, 2002; and

7. The member who is a resident of this State and who is not and never has been employed in the motor carrier industry is appointed for a 3-year term ending December 31, 2004.

Sec. 37. Extension of positions. The Department of the Secretary of State, Bureau of Motor Vehicles is authorized to extend 10 limited-period motor vehicle service representative positions to July 7, 2001. Any unexpended personal services funds remaining in the Administration - Motor Vehicles account may not lapse but must be carried forward in order to fund the limited-period positions for the branch offices.

Sec. 38. Effective date. Those sections of this Act that amend the Maine Revised Statutes, Title 29-A, section 401, subsection 2; section 513, subsection 2, paragraph A; section 531, subsection 1; section 602, subsection 2, paragraphs H and I; section 602, subsection 10; section 661, subsection 2; section 667, subsection 4, paragraph A; and section 667, subsection 5, paragraph C, that section that repeals Title 29-A, section 667, subsection 4, paragraph B and that section that enacts Title 29-A, section 602, subsection 2, paragraph J take effect October 1, 2001. That section of this Act that amends Title 29-A, section 405, subsection 1 takes effect January 1, 2002.

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

Effective June 6, 2001, unless otherwise indicated.

CHAPTER 362

H.P. 601 - L.D. 756

An Act to Ensure Quality Home Care Coordination Services and Improve Long-term Care Services

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

Sec. 1. 22 MRSA §5107-I is enacted to read:

§5107-I. Quality assurance review committee

An agency that contracts to provide home care coordination for the department shall establish a quality assurance review committee, referred to in this section as the "committee," to review the provision of home care services. The committee membership must include consumers of home care services; representatives of consumers; consumer advocates, including the long-term care ombudsman program; health care and service providers; representatives from each area agency on aging; and staff of the agency that contracts to provide home care coordination. The joint standing committee of the Legislature having jurisdiction over health and human services matters may make recommendations to the contracting agency regarding committee membership.

1. Chair; meetings. The members of the committee shall choose a chair, who may not be a representative of a home care coordination agency. The committee shall meet at least quarterly.

2. Duties. The committee shall assess, evaluate and prepare findings regarding quality of care coordination, including:

A. Implementation, monitoring and modification of the plan of care of a consumer of home care services;

B. Advocacy on behalf of the consumer of home care services for access to appropriate community resources;

C. Ensuring coordination of service providers and timely delivery of services pursuant to the plan of care and identified needs of the consumer of home care services;

D. Maintaining contact, on behalf of the consumer of home care services, with family members and others in the consumer's support structure and with other representatives, guardians, surrogates or providers of services or supports;

E. Ensuring the continuity of care;

F. With the participation of the consumer of home care services or the consumer's representative and providers of services or support, monitoring services and supports and evaluating the effectiveness of the plan of care;

G. Coordinating and requesting assessments and reassessments and providing necessary consumer status reports to the assessor in a timely manner;

H. Providing the consumer of home care services with appropriate information regarding eli-

gibility, rules and benefits and helping the consumer apply for appropriate assistance;

I. Addressing consumer complaints in a timely manner; and

J. Providing the consumer of home care services with information about the services of the long-term care ombudsman under section 5107-A and the availability of legal services.

3. Coordination. The committee shall work to coordinate its efforts with those of any other quality assurance initiatives, committees and working groups within the department relating to the delivery of long-term care services.

4. Annual report. By January 1st each year, the committee shall report to the department, the Long-term Care Implementation Committee established pursuant to Public Law 1999, chapter 731, Part BBBB, section 15 and the joint standing committee of the Legislature having jurisdiction over health and human services matters concerning the committee's work during the year, any specific findings or recommendations regarding the duties imposed in subsection 2 and the actions taken to resolve problems.

5. Rulemaking. The department shall adopt rules to implement this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

Sec. 2. PL 1999, c. 731, Pt. BBBB, §15, first ¶ and sub-§1 are amended to read:

Sec. BBBB-15. Establishment of the Long-term Care Implementation Committee. There is established the Long-term Care Implementation Committee, referred to in this section as the "committee," to monitor the progress of state departments and offices in implementing the provisions of this Part and the State's long-term care system. The committee shall review the adoption and amendment of rules ~~performed~~ proposed in response to this Part and may make recommendations to the Department of Human Services, to the Department of Mental Health, Mental Retardation and Substance Abuse Services and to the joint standing committee of the Legislature having jurisdiction over health and human services matters ~~for~~ regarding amendments to those rules. The committee shall review the quality of care in the long-term care system.

1. Membership. The committee consists of ~~13~~ 15 members. The President of the Senate shall appoint ~~5~~ 6 members as follows: one member representing providers; one member representing the Long-term Care Steering Committee; ~~one member~~ 2 members representing consumers of long-term care services; and 2 Legislators, one representing the joint

standing committee of the Legislature having jurisdiction over health and human services matters and one representing the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs. One Legislator must represent the majority party and one Legislator must represent the minority party. The Speaker of the House of Representatives shall appoint ~~5~~ 6 members as follows: one person representing providers; one member representing the long-term care ombudsman program; ~~one member~~ 2 members representing consumers of long-term care services; and 2 Legislators, one representing the joint standing committee of the Legislature having jurisdiction over health and human services matters and one representing the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs. One Legislator must represent the majority party and one Legislator must represent the minority party. The Commissioner of Human Services or the commissioner's designee and 2 other persons representing the Department of Human Services, appointed by the commissioner, are ex officio members of the committee. ~~All appointments must be complete by January 1, 2001.~~

See title page for effective date.

CHAPTER 363

H.P. 1072 - L.D. 1435

An Act to Authorize Animal Shelters to Accept and Provide for Stray Cats

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

Sec. 1. 7 MRSA §3907, sub-§9-A is enacted to read:

9-A. Cat identification. "Cat identification" means:

A. A registered microchip used in conjunction with a visible collar and tag, with a faceted, reflective ear stud or a tipped or notched ear;

B. A collar or collar and tag worn by the cat that provides the current name, address and telephone number of the owner; or

C. A collar and tag providing the name and address of the animal shelter that issued the tag.

Sec. 2. 7 MRSA c. 720 is amended by repealing the chapter headnote and enacting the following in its place: