

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SECOND LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 1, 2004 to March 30, 2005**

**FIRST SPECIAL SESSION**  
**April 4, 2005 to June 18, 2005**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 29, 2005**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 17, 2005**

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

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2005**

practical following appointment of its members and shall select a chair from among its members. The committee shall establish procedures for the conduct of meetings. The committee may:

- A. Review proposed contracts, site analyses, applications and other documents relating to the construction, permitting and operation of the disposal facility;
- B. Hold periodic public meetings to solicit the opinions of residents concerning the disposal facility and any permit applications, contracts or other provisions relating to the disposal facility;
- C. Provide the disposal facility operator and office with any alternative contract provisions, permit conditions, plans or procedures the committee considers appropriate; ~~and~~
- D. Serve as a liaison between the communities and the disposal facility operator or the office to facilitate communications during the development and operation of the disposal facility and provide residents with updated information about the project, including providing explanations of any technical terms; and ~~be it further~~
- E. Serve as a liaison between the Penobscot Nation and the disposal facility operator or the office to facilitate communications during the development and operation of the disposal facility and provide members of the Penobscot Nation with updated information about the project, including providing explanations of any technical terms; and be it further

See title page for effective date.

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## CHAPTER 342

S.P. 231 - L.D. 694

### **An Act To Restore Fair MaineCare Payments to Critical Access Hospitals**

**Emergency preamble.** Whereas, acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** it is imperative to improve the Medicare payments to critical access hospitals; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. 22 MRSA §1714-B**, as enacted by PL 2005, c. 12, Pt. ZZZ, §1, is amended to read:

#### **§1714-B. Critical access hospital reimbursement**

For state fiscal years beginning on or after July 1, 2005, the department shall reimburse critical access hospitals that are unconditionally licensed at ~~75% of charges or~~ 117% of MaineCare allowable costs; ~~whichever is less~~, for both inpatient and outpatient services provided to patients covered by the MaineCare program. Of the total allocated from hospital tax revenues under Title 36, chapter 375, \$1,000,000 in state and federal funds must be distributed annually among critical access hospitals for staff enhancement payments.

**Sec. 2. Federal approval.** The provisions of the Maine Revised Statutes, Title 22, section 1714-B are subject to approval from the federal Centers for Medicare and Medicaid Services.

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

Effective June 8, 2005.

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## CHAPTER 343

H.P. 923 - L.D. 1324

### **An Act To Improve Access to Affordable Prescription Drugs**

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

**Sec. 1. 5 MRSA §2031, sub-§§1 and 4**, as enacted by PL 2005, c. 12, Pt. PP, §1, are amended to read:

**1. Council established.** The Pharmaceutical Cost Management Council, referred to in this chapter as "the council," is established and consists of ~~no more than 15~~ voting members appointed by the Governor as follows:

- A. The Commissioner of Administrative and Financial Services or the commissioner's designee;
- B. The Commissioner of Health and Human Services or the commissioner's designee;
- C. The Executive Director of the Workers' Compensation Board or the executive director's designee;