

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE

SECOND SPECIAL SESSION
July 29, 2005

SECOND REGULAR SESSION
January 4, 2006 to May 24, 2006

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
OCTOBER 28, 2005

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 23, 2006

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

Penmor Lithographers
Lewiston, Maine
2006

CHAPTER 138

H.P. 1267 - L.D. 1827

Resolve, Directing the Department of Professional and Financial Regulation To Study Prescription Drug Labeling Requirements

Sec. 1. Prescription drug labeling practices. Resolved: That the Department of Professional and Financial Regulation shall review the following: current statutory requirements for prescription drug labeling, pharmacy practices in the area of prescription drug labeling and the methods used by pharmacists to inform consumers about their prescription drugs and any substitutions made to prescriptions; and be it further

Sec. 2. Report. Resolved: That the Department of Professional and Financial Regulation shall report to the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters by January 15, 2007 its findings under section 1 and its recommendations for best practices in prescription drug labeling and for enhancing methods for providing consumer information and education in this area. The joint standing committee may report out legislation on prescription drug labeling practices to the First Regular Session of the 123rd Legislature.

See title page for effective date.

CHAPTER 139

S.P. 596 - L.D. 1614

Resolve, Regarding Comprehensive Community Health Coalitions

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

Whereas, the development of core competencies, functions and performance standards for comprehensive community health coalitions before the end of 2006 is important to the operation of Maine's public health system; and

Whereas, inventorying resources and developing a plan to integrate some funding sources to support the public health functions identified in the State Health Plan during 2006 are important to Maine's public health system; 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

Sec. 1. Comprehensive community health coalitions. Resolved: That the Department of Health and Human Services shall recognize and partner with comprehensive community health coalitions to provide public health assessment, education and services. Comprehensive community health coalition functions may include, but are not limited to, needs assessment; development of a community action plan; leveraging and coordinating resources, funding and programs; monitoring quality of life indicators; communication; technical assistance; and evaluation of health initiatives; and be it further

Sec. 2. Public Health Work Group. Resolved: That the Public Health Work Group created under the State Health Plan shall establish 2 subcommittees, the Coalition Core Competencies Subcommittee and the Interdepartmental Subcommittee, and appoint the members of those subcommittees in compliance with the following:

1. The Coalition Core Competencies Subcommittee must be cochaired by the member of the Maine Network of Healthy Communities and the member of the Maine Center for Public Health that sit on the Public Health Work Group. The subcommittee shall develop core competencies, functions and performance standards for comprehensive community health coalitions. The subcommittee shall report on its work to the Public Health Work Group and to the Joint Standing Committee on Health and Human Services by August 30, 2006; and

2. The Interdepartmental Subcommittee members must include representatives of Communities for Children, the Governor's Office of Health Policy and Finance, the Department of Health and Human Services and that department's Office of Substance Abuse and Maine Center for Disease Control and Prevention, the Department of Education, the Department of Corrections, the Department of Conservation and the Department of Transportation. The subcommittee shall inventory resources and develop a plan to integrate some funding sources to support the public health priorities and functions identified in the State Health Plan. Each state agency member of the subcommittee shall determine how to integrate the core competencies, functions and performance standards into the work and funding decisions of that member's agency. The subcommittee shall report on its work to the Public Health Work Group and to the Joint Standing Committee on Health and Human Services by October 30, 2006.

By January 1, 2007, the Public Health Work Group shall report to the Joint Standing Committee on Health and Human Services on any action that it has taken with regard to core competencies, functions and performance standards for comprehensive community health coalitions and the resource inventory and integration of funding sources. The report must also include identification of administrative units and regions for the purposes of administration, funding and the effective and efficient delivery of public health services.

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

Effective March 17, 2006.

CHAPTER 140

S.P. 785 - L.D. 2037

Resolve, Regarding Source Water Protection Recommendations

Sec. 1. Public process established. Resolved: That the Drinking Water Program within the Department of Health and Human Services, in consultation with the Department of Environmental Protection, the Department of Conservation, Maine Geological Survey and the Department of Agriculture, Food and Rural Resources, shall establish and implement a process to allow public comment on the recommendations regarding source water protection described in a report dated February 2006 that was submitted by the Drinking Water Program to the Joint Standing Committee on Natural Resources pursuant to Resolve 2005, chapter 29; and be it further

Sec. 2. Report. Resolved: That the Drinking Water Program within the Department of Health and Human Services, in consultation with the Department of Environmental Protection, the Department of Conservation, Maine Geological Survey and the Department of Agriculture, Food and Rural Resources, shall submit a report as provided in this section to the joint standing committee of the Legislature having jurisdiction over natural resources matters by February 1, 2007. The report must include subsequent recommendations after consideration of the public comments received pursuant to the process established in section 1, take into account coordination between water quantity and water quality and include any draft legislation necessary to implement the recommendations; and be it further

Sec. 3. Legislation. Resolved: That after receipt and review of the report submitted pursuant to section 2 the joint standing committee of the Legisla-

ture having jurisdiction over natural resources matters may report out legislation regarding the recommendations to the First Regular Session of the 123rd Legislature.

See title page for effective date.

CHAPTER 141

H.P. 470 - L.D. 637

Resolve, To Address the Telecommunications Needs of Federally Qualified Health Centers

Sec. 1. Needs assessment; application for federal funds. Resolved: That the Public Utilities Commission shall allocate \$75,000 from the state universal service fund, established pursuant to the Maine Revised Statutes, Title 35-A, section 7104, to hire an independent consultant to conduct a needs assessment regarding the telecommunications needs of federally qualified health centers, as defined in 42 United States Code, Section 1395x, subsection (aa)(4), and to assist federally qualified health centers in applying for funding from the federal Universal Service Fund under the Federal Communication Commission's Rural Health Care program. The commission may require contributions to the state universal service fund in an amount necessary to collect the \$75,000 to carry out the requirements of this section; and be it further

Sec. 2. Report. Resolved: That the Public Utilities Commission shall, no later than March 1, 2007, report to the joint standing committee of the Legislature having jurisdiction over telecommunications matters the results of the needs assessment and applications for federal funds under section 1 and any recommendations for further action to address the telecommunications needs of federally qualified health centers. The report must include any necessary legislation to implement the recommendations of the commission; and be it further

Sec. 3. Authority to report out bill. Resolved: That, after review of the report required under section 2, the joint standing committee of the Legislature having jurisdiction over telecommunications matters may report out a bill relating to the subject matter of this resolve to the First Regular Session of the 123rd Legislature.

See title page for effective date.