

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

FIRST SPECIAL SESSION
September 27, 2011

SECOND REGULAR SESSION
January 4, 2012 to May 31, 2012

THE EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
LAWS IS
SEPTEMBER 28, 2011

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 30, 2012

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

Augusta, Maine
2012

7. Annual report. The board shall prepare and submit an annual report on the operation of the organization and the Maine Health Data Processing Center as authorized in Title 10, section 681, including any activity contracted for by the organization or contracted services provided by the center, with resulting net earnings, to the Governor and the joint standing committee of the Legislature having jurisdiction over health and human services matters no later than February 1st of each year. The report must include an annual accounting of all revenue received and expenditures incurred in the previous year and all revenue and expenditures planned for the next year. The report must include a list of persons or entities that requested data from the organization in the preceding year with a brief summary of the stated purpose of the request.

~~As part of its annual report, the organization shall report on filings for confidentiality protection under section 1711 E, subsection 4, the disclosure of the names of prescribers who filed for confidentiality protection, funding through the assessment under section 1711 E, subsection 4, paragraph C and recommendations for legislation to improve operation of section 1711 E, subsection 4.~~

Sec. 9. 22 MRSA §8713, as enacted by PL 2007, c. 460, §4, is repealed.

See title page for effective date.

CHAPTER 495

S.P. 535 - L.D. 1625

An Act To Amend the Organization of the Quality Assurance Review Committee

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

Sec. 1. 22 MRSA §5107-I, first ¶, as enacted by PL 2001, c. 362, §1, is amended to read:

~~An agency that contracts to provide home care coordination for the~~ The department shall establish a quality assurance review committee, referred to in this section as the "committee," to review the provision of home care coordination services for long-term services and supports for elders and adults with disabilities. 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 each~~ agency that ~~contracts to provide~~ provides home care coordination services. The joint standing committee of the Legislature having jurisdiction over health and human services matters may make

recommendations to the ~~contracting agency department~~ regarding committee membership.

Sec. 2. 22 MRSA §5107-I, sub-§4, as enacted by PL 2001, c. 362, §1, is amended to read:

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.

See title page for effective date.

CHAPTER 496

H.P. 1217 - L.D. 1608

An Act To Clarify the Laws Governing Pharmacy Interns

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

Sec. 1. 32 MRSA §13702-A, sub-§24-A is enacted to read:

24-A. Pharmacy intern. "Pharmacy intern" means a person who:

A. Is either enrolled in or a graduate of a school or college of pharmacy; and

B. Is licensed with the board and is authorized to engage in the practice of pharmacy while under the direct supervision of a licensed pharmacist.

Sec. 2. 32 MRSA §13721, sub-§1, ¶G, as enacted by PL 1987, c. 710, §5, is amended to read:

G. The licensing of pharmacy interns and adoption of rules of governing the training, qualification and employment of pharmacy interns and pharmacy students; and

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF

Administrative Services - Professional and Financial Regulation 0094

Initiative: Provides a one-time allocation in fiscal year 2012-13 for the licensing system modification costs associated with the licensing of pharmacy interns by the Maine Board of Pharmacy.

OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
All Other	\$0	\$2,500
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$2,500

Licensing and Enforcement 0352

Initiative: Provides a one-time allocation in fiscal year 2012-13 for the rule-making costs associated with the licensing of pharmacy interns by the Maine Board of Pharmacy.

OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
All Other	\$0	\$2,500
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$2,500

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF DEPARTMENT TOTALS

	2011-12	2012-13
OTHER SPECIAL REVENUE FUNDS	\$0	\$5,000
	<hr/>	<hr/>
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$5,000

See title page for effective date.

CHAPTER 497

S.P. 562 - L.D. 1663

An Act To Correct Errors in Recently Enacted Laws Governing Agency Liquor Stores

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

Whereas, Public Law 2011, chapter 460 was enacted into law in the First Regular Session of the 125th Legislature; and

Whereas, as a result of a clerical error, provisions in the enacted law do not reflect the language

contained in the legislative documents that were adopted by the Legislature; and

Whereas, it is necessary to immediately correct this error; 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. 28-A MRSA §1010-A, sub-§2, ¶A, as enacted by PL 2011, c. 460, §2, is amended to read:

A. Full-time, one year, after payment of the initial agency liquor store license fee under section 453-B, ~~\$775~~ \$700. The license may be prorated; and

Sec. 2. 28-A MRSA §1013, as enacted by PL 2011, c. 460, §3, is repealed.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)

Office of Substance Abuse 0679

Initiative: Deallocates funds no longer required for underage drinking prevention programs.

OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
All Other	(\$750)	(\$750)
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$750)	(\$750)

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

Effective March 14, 2012.

CHAPTER 498

H.P. 1321 - L.D. 1795

An Act Regarding the Oversight and Safety of Certain Commercial Vessels Operating in Maine Waters

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