

MAINE STATE LEGISLATURE

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ONE HUNDRED AND ELEVENTH LEGISLATURE
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
JUNE 1984

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees of the Maine Legislature, covering the Second Regular Session of the 111th Legislature. The summaries are arranged alphabetically, and indexed separately by committee.

STATE OF MAINE
ONE HUNDRED AND ELEVENTH LEGISLATURE
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE ON
HEALTH AND INSTITUTIONAL SERVICES
BILL SUMMARY



MAY, 1984

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1944

AN ACT TO ASSURE GREATER
INDEPENDENCE TO THE CERTI-
FICATE OF NEED ADVISORY
COMMITTEE AND FOR OTHER
PURPOSES

Rolde

OTP-A
HSE-ENACT
SEN-ENACT
GOV-SIGNED
PL 83, c. 722

SUMMARY: The bill would have changed the provisions of the Certificate of Need Advisory Committee established in 1982 by: removing it from within the Department of Human Services, removing the member designated by the Commissioner of Human Services, requiring the Governor to name one of the public members as the chair (rather than the Commissioner's designee) and authorizing the hiring of up to 2 staff members.

Proponents of the legislation argued that having the Advisory Committee Chair also the Bureau Director of Health Planning created at least an appearance of bias. There was also testimony that the chair appeared in an adversarial, rather than a neutral, role at CON hearings, and did not allow sufficient public input.

Opponents argued that the new hearing process had been in existence for less than a year, and that establishing a separate committee, outside the Department of Human Services, would be more cumbersome and expensive.

Other suggestions were made for inclusion of home health care providers on the CON Advisory Committee, and for limiting the submission of new information. A compromise suggestion was to allow Department of Human Services representation, but not as chair.

The Committee Amendment (H-539) left the CON Advisory Committee within the Department of Human Services, restored the members to 10, of whom 9 are appointed by the Governor and 1 designated by the Commissioner of the Department of Human Services, and specified that the Governor would appoint the voting chair from among the 5 public members. The staff provision was deleted.