

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
ONE HUNDRED AND TWELFTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON  
HUMAN RESOURCES  
BILL SUMMARY



JULY, 1985

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ONE HUNDRED AND TWELFTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE  
BILL SUMMARIES  
JULY 1985

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees of the Maine Legislature, covering the First Regular Session of the 112th Legislature. The summaries are arranged by LD number and indexed separately by committee.

The committee reported out a majority and minority report. The majority report (H-323), which was enacted, provided the following:

In the case of certain activities, such as a termination of an unnecessary service or a merger, the Maine Health Care Finance Commission is given the discretion, under appropriate circumstances, not to reduce a hospital's financial requirements, if such activities are not subject to review under the Maine Certificate of Need Act. This bill amendment permitted the commission not to reduce financial requirements even when such activities are subject to certificate of need requirements.

It also modified provisions governing application of restricted gift funds. It allowed the restricted gift offset to the annual allowance for facilities and equipment for the 2nd and subsequent payment years to equal the amount offset in the first payment year.

Under the current law, 50% of any savings realized by a hospital during a year are retained by the hospital and 50% of the savings are shared by the consumer. The bill also allowed the hospital to retain 100% of the savings.

The minority report (H-324) was identical to the majority report except for the savings provision. The minority report would have left the current law unamended, passing on 50% of the savings to the payors and consumers.

<b>LD:</b>	<b>849</b>	AN ACT TO REVISE THE MAINE CERTIFICATE OF NEED ACT FOR HOSPITALS				ROLDE MURRAY INGRAHAM BERUBE PUBLIC CH # 338
OTP-AM		HOUSE Enacted SENATE Enacted GOV SIGNED				
H-246	CA			H	S	

SUMMARY:

The original bill amended the Maine Certificate of Need Act as follows.

1. It allowed hospitals the option of obtaining waivers on certificate of need reviews for new services when the capital expenditures are less than \$300,000 or the projected annual operating cost for the 3rd year is greater than \$135,000 but less than \$250,000. As a condition of such a waiver, a hospital is not entitled to a positive adjustment to its financial requirements as determined by the Maine Health Care Finance Commission.

2. It eliminated certificate of need review authority for so-called "Category C" health services, which do not involve capital expenditures or significant operating costs.

3. It allowed the Department of Human Services to hold projects, which would otherwise be denied due to insufficient funds in the Certificate of Need Development Account for consideration in the following year.

The committee amendment (H-246):

1. deleted the provision which would have eliminated the "Category C" health services from the Maine Certificate of Need Act;

2. amended the waiver provisions to allow hospitals the option of obtaining waivers on certificate of need reviews for new services when capital expenditures are either \$0 or less than \$300,000 and the projected annual operating cost for the 3rd year is greater than the annual expenditure minimum, but less than \$250,000. As a condition of such a waiver, a hospital is not entitled to a positive adjustment to its financial requirements as determined by the Maine Health Care Finance Commission; and

3. still allowed the Department of Human Services to hold projects which would otherwise be denied due to insufficient funds in the Certificate of Need Development Account for consideration in the following year.

LD: 850 AN ACT CONCERNING WORK REQUIREMENTS UNDER  
THE GENERAL ASSISTANCE PROGRAM

WARREN  
JACKSON  
RIOUX  
DESCOTEAUX

LU-WD HOUSE Accepted Committee Report  
SENATE Accepted Committee Report  
GOV

#### SUMMARY

This bill would have required each municipality to have a work requirement program. Each applicant would have to participate in the "workfare" program unless the municipality has no suitable work or the person is already actively seeking employment or is medically unable to work.