

# 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

Prepared by:

John Selser, Legislative Assistant  
Office of Legislative Assistants  
State House, Station 13      Augusta, Maine 04333  
(207) 289-1670



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STATE OF MAINE  
OFFICE OF LEGISLATIVE ASSISTANTS  
ROOM 101  
STATE HOUSE, STATION 13  
AUGUSTA, MAINE 04333  
TEL.: (207) 289-2486

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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.

LD:

1264

AN ACT TO AMEND THE MAINE CERTIFICATE OF  
NEED ACT TO CORRECT INCONSISTENCIES RELATED  
TO OTHER STATUTORY PROVISIONS AND TO ENSURE  
COST-EFFECTIVE DEVELOPMENT OF SERVICES

BUSTIN  
NAJARIAN  
BRODEUR

OTP-AM

HOUSE Enacted  
SENATE Enacted  
GOV Signed

PUBLIC  
CH #418

S-274

CA

MAJ REP

H

S

S-275

CB

MIN REP

SUMMARY:

This bill sought to amend the Certificate of Need Act to  
accomplish the following:

correct typographical errors; address interagency  
relationships, such as deleting references to the former  
Health Systems Agency; expand the scope of coverage to  
include review of the acquisition of all major medical  
equipment by any person; make explicit the department's  
authorization to batch proposals of a similar category; and  
extend to all payors the provision that now requires the  
State to withhold payments to providers for services  
implemented that required but did not receive a certificate  
of need.

The committee majority report (S-274), which was enacted,  
consisted of the following changes to the law:

1. removes and corrects references to the Health Systems  
Agency and the Health Facilities Cost Review Board, both of  
which ceased to exist in 1983; corrects a reference to the  
State Health Planning Agency; deletes an incorrect  
reference to the Bureau of Health Planning and Development;  
and corrects typographical errors;
2. deletes those definitions which refer only to the  
Health Systems Agency and its activities and reference to  
documents of the HSA;
3. adds a requirement that a provider, once a certificate  
of need has been implemented, file reports concerning the  
costs and utilization of the project at 6-month intervals  
during the first year of operation;
4. makes the language in the law more specific regarding  
the department's authority to group applications (batching)  
for C-O-N review;
5. extends to all payors the ability to withhold payments  
for services implemented without a required certificate of  
need; and

6. deletes the provisions which would have required a certificate of need for all purchases of major medical equipment, regardless of location, e.g. in a physician's office.

The minority report (S-275) is identical to the majority report except for the provision regarding purchases of major medical equipment (See #6 in above paragraph). It amends the provisions of the original bill which required a certificate of need for all purchases of major medical equipment, regardless of location. The amendment limits the requirement for a certificate of need, regardless of location, to purchases of 3 kinds of expensive major medical equipment: a nuclear magnetic resonance scanner, a computer axial tomography scanner and extra-corporeal lithotripter equipment. The requirement for review would have been repealed on July 30, 1986.

LD: 1285 AN ACT CONCERNING CHILDREN IN NEED OF  
SOCIAL SERVICES

KANY  
BOST  
CASHMAN  
BUSTIN

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

SUMMARY:

This bill sought to provide an opportunity for a court to review the circumstances of a child who runs away from home, refuses to obey his parents or guardian, or fails to attend school. If the court, upon the petition of a parent or guardian, law enforcement officer or school principal, finds that the child is in need of services, the court may refer the child, or the child and his parents or guardian, to an intake worker for the arrangement of medical, psychological or other social services.

LD: 1289 AN ACT TO REQUIRE MEDICAL PRACTITIONERS TO  
WARN PATIENTS OF POSSIBLE SIDE EFFECTS FOR  
PRESCRIPTION DRUGS

MACBRIDE  
SEAVEY

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

SUMMARY:

This bill would have required medical practitioners to inform their patients of any material adverse side effects or reactions attributable to a prescribed drug.