

MAINE STATE LEGISLATURE

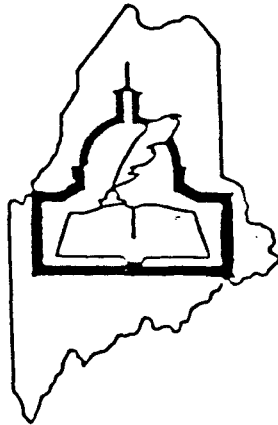
The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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



STATE LAW LIBRARY
STATE HOUSE

HELEN T. GINDER, DIRECTOR
HAVEN WHITESIDE, ASST. DIRECTOR
GILBERT W. BREWER
DAVID ELLIOTT
MARTHA FREEMAN
CHRISTOS GIANOPOULOS
WILLIAM T. GLIDDEN, JR.

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

SARAH HOOKE
JULIE S. JONES
JOHN B. KNOX
EDWARD POTTER
MARGARET J. REINSCH
LARS RYDELL
JOHN SELSER
ANDREA COLNES, RES. ASST.

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: 1309 AN ACT TO IMPROVE THE ADMINISTRATION OF
GENERAL ASSISTANCE

CARROLL
BUSTIN
NELSON

OTP-AM HOUSE Enacted
SENATE Enacted
GOV Signed

P AND S
CH #79

H-384 CA H S
S-326 CA PEARSON H S

SUMMARY:

This bill proposed to amend the general assistance laws by requiring minimum state-wide standards for eligibility and standard forms for eligibility and for the decision to award or deny general assistance. It also would have provided 100% reimbursement of general assistance costs for municipalities which are already reimbursed, 10% of which would have to be dedicated to administrative costs. In addition it required worker's compensation coverage for recipients on workfare, state-held fair hearings for aggrieved persons, and a study of general assistance.

The only provision of the bill to survive was the study. As proposed by the committee amendment (H-384), a Special Select Commission on the Administration and Financing of General Assistance was created to investigate present and alternative methods of administering and financing the general assistance program within the state. The commission shall report to the 2d Regular Session of the 112th Legislature.

Senate amendment (S-326) reduced the appropriation from \$7,850 to \$5,000.

LD: 1313 AN ACT REQUIRING THE DEPARTMENT OF HUMAN
SERVICES TO PROVIDE MEDICAID FUNDED CONSUMER
DIRECTED PERSONAL CARE ASSISTANCE

GILL
MURRAY
TAYLOR
BUSTIN

OTP HOUSE Indef. PP
SENATE Indef. PP
GOV

H-337 HA NELSON H S
S-228 SA BERUBE

SUMMARY:

Consumer directed personal care assistance may be paid for as an optional service by Medicaid. Maine has made these services available primarily through the Home Base Care Act, which is funded solely by state money.

This bill required the Department of Human Services to offer these services as an optional medicaid paid service. The House amendment (H-337) added an appropriation to the bill. The Senate amendment (S-228) was identical to the House amendment.

Presently, a Medicaid waiver is pending approval which provides relief in assisting physically or developmentally disabled adults to acquire these life support services.

LD: 1330 AN ACT RELATING TO INVESTIGATIONS OF CHILD ABUSE IN INSTITUTIONS LICENSED BY THE STATE
PRIEST
ROLDE
PARADIS P
BERUBE
PUBLIC
CH # 380

OTP-AM HOUSE Enacted
SENATE Enacted
GOV SIGNED

H-385 CA H S
S-276 CA BERUBE H S

SUMMARY:

The purpose of this bill was to specify procedures to be followed by the Department of Human Services in investigating suspected child abuse or neglect in a facility licensed by the department. The bill established a timetable for these investigations, amended current law concerning mandatory disclosure of records of the department dealing with child protection by adding the alleged perpetrator and the governing authority of the facility to the required disclosure list; added provisions to current law to assure that all actions taken by the department upon completion of an investigation of child abuse or neglect in a licensed facility are subject to independent review; and created investigatory procedures for the department in cases involving suspected child abuse or neglect in licensed facilities by requiring a preliminary investigation, procedures for further investigation, and final written report.

The committee amendment (H-385) replaced the original bill. It provided a method for day care facilities to appeal a decision of the Department of Human Services if the department terminates a funding contract or fails to renew a funding contract based on the facility's failure to discharge or suspend an employee for actions resulting from or arising out of an investigation of child abuse or neglect.

It also provided immunity for monetary damages for a member of the governing body of a day care facility for personnel actions it takes, in good faith, if that action was the result of a recommendation or suggestion of the Department of Human Services. In addition, it provided the same immunity to the governing body, except to the extent of any insurance it might have.

Both sections of this bill are repealed October 1, 1987, so that its operation must be reviewed in 2 years to evaluate its operation.