

MAINE STATE LEGISLATURE

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STATE OF MAINE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON
HUMAN RESOURCES
BILL SUMMARY



JUNE 1987

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ONE HUNDRED AND THIRTEENTH LEGISLATURE
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JOINT STANDING COMMITTEE
BILL SUMMARIES
JUNE 1987

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The summaries are arranged by LD number under each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "COMMITTEE" if it is a committee amendment.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Please let us know if you would prefer a different format or additional information and if the summaries are helpful.

Key to Committee Reports and Floor Action:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

LD AN ACT TO SIMPLIFY CERTIFICATE OF NEED REVIEW LVWD
326 FOR TRANSFERS OF OWNERSHIP OF NURSING HOME
FACILITIES

Sponsor: ROLDE,
Committee Report: LVWD

SUMMARY: This bill sought to shorten the time allowed for review and decision on certificate of need applications for transfer of ownership of nursing home facilities.

LD AN ACT TO REQUIRE THE DEPARTMENT OF HUMAN SERVICES CARRY-OVER
332 TO REIMBURSE NURSING HOMES FOR THE REASONABLE
COSTS OF RECRUITING, TRAINING AND RETAINING
QUALIFIED NURSING STAFF

Sponsor: BUSTIN, Boutilier, Hickey
Committee Report: CARRY-OVER

SUMMARY: This bill would have required the Department of Human Services to reimburse nursing homes for the reasonable costs of recruiting, training, and retaining qualified nursing staff.

LD AN ACT TO AMEND THE LAW REGARDING THE MEDICAL PL 1987
346 CERTIFICATE FILED AFTER DEATH c. 72

Sponsor: HEPBURN, Pines, Hussey, Berube
Committee Report: OTP-A
Amendments Adopted:
H-49 COMMITTEE

SUMMARY: in the case of a normal death, the physician in charge of the patient's care is required to complete the medical certificate of death in 24 hours. If the patient was a resident of a nursing home, the physician in charge of the patient, or a physician designated by the physician in charge, is required to examine the body prior to completing the death certificate. An exception to this provision dispenses with the examination of the body if the physician in charge of the patient's care had examined the patient within 48 hours of death.

This bill originally amended the law to provide another exception. It dispensed with the required examination of the body if the medical director of the facility had examined the patient within 48 hours of the death. The committee amendment, H-49, replaced the exception for the "medical director" with "another physician designated by the physician in charge".

The second part of the bill originally extended the time period under which the exemption to the medical examination is permitted. It provided that in the case of a terminally ill patient, if the physician had examined the patient within 2 weeks instead of the current 48 hours period, the physician need not reexamine the body to fill out the death certificate. The amendment (H-49) added a definition of terminally ill patient.

LD 349 AN ACT TO PROVIDE FOR A PROSPECTIVE PAYMENT SYSTEM FOR STATE REIMBURSEMENT OF BOARDING CARE FACILITIES WITH MORE THAN 6 BEDS, TO ALLOW FOR PERIODIC COST-OF-LIVING ADJUSTMENTS AND FOR OTHER PURPOSES ND LD 1784

Sponsor: CARROLL, Kimball, Simpson
 Committee Report: OTP-ND LD 1784

SUMMARY: This bill sought to require the Department of Human Services to establish a prospective payment system for reimbursement of boarding care facilities of more than 6 beds instead of the current flat rate system. The new draft proposed to raise the level of reimbursement for boarding care facilities currently operating under a cost reimbursement system and would have required the Department of Human Services to develop a prospective payment system for those facilities and report on the progress in developing that system by February 1, 1988.

LD 353 AN ACT TO PROHIBIT SMOKING IN PUBLIC AREAS OF PUBLICLY OWNED BUILDINGS PL 1987 c. 332

Sponsor: PINES, Carroll, Boutilier, Gill
 Committee Report: OTP-A (Majority)
 ONTP (Minority)

Amendments Adopted:
 H-151 COMMITTEE
 H-197 BROWN
 S-88 BUSTIN

SUMMARY: This bill prohibited smoking in the public areas of publicly owned buildings. Exceptions to this rule are the portions of public buildings used exclusively for nonpublic purposes or which are privately leased and, as provided by the Committee amendment (H-151), restaurants in public buildings are governed by the rules for restaurants which require a reasonably sufficient no smoking area and civic auditoriums which are required to keep some areas between the main entrance and the auditorium as a no smoking area. In addition, H-151 excluded public proceedings in public buildings, deferring to the existing law which allows smoking if all present consent to it.