

# 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  
FIRST REGULAR SESSION

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

S-88 allowed public employees to reopen collective bargaining agreements to bargain for smoking areas in the nonpublic areas of publicly owned buildings. H-197 was a technical amendment.

LD AN ACT CONCERNING INTERDEPARTMENTAL COORDINATION PL 1987  
359 OF SERVICES TO CHILDREN AND FAMILIES c. 181

Sponsor: MANNING, Pines, Gauvreau, Gill  
Committee Report: OTP-A  
Amendments Adopted:  
H-133 COMMITTEE

SUMMARY: This bill codified the current interdepartmental coordination of services to children and families. The Commissioners of four departments (Corrections, Education and Cultural Services, Human Services, and Mental Health and Mental Retardation, are officially established as a special interdepartmental committee. This committee, which has existed in practice since 1978, will report annually to the Legislature. The committee amendment delayed the effective date until February 1, 1988.

LD AN ACT TO REQUIRE GREATER SPECIFICITY IN THE PL 1987  
399 ANNUAL REPORTS OF THE MAINE HEALTH CARE c. 73  
FINANCE COMMISSION

Sponsor: GAUVREAU, Manning,  
Committee Report: OTP  
Amendments Adopted:  
S-23 GAUVREAU

SUMMARY: This bill required the annual report of the Maine Health Care Finance Commission to include more supporting data for the report's conclusions. Senate Amendment S-23 reallocated the language of the bill to a more appropriate section of the law.

LD AN ACT TO ESTABLISH AN ALTERNATIVE TO THE INDEF. PP  
401 CERTIFICATE OF NEED PROCESS TO ADDRESS THE  
NEEDS OF MEDICAID PATIENTS IN NEED OF NURSING  
HOME CARE

Sponsor: GILL, Bustin, Boutilier, Taylor  
Committee Report: OTP-A  
Amendments Adopted:  
S-178 COMMITTEE

SUMMARY: This bill originally sought to require the Department of Human Services, in consultation with

representative groups, to determine the need for nursing home beds independent of the Certificate of Need process. The Committee amendment (S-178) replaced the bill and could have established a Joint Select Committee on Long-term Care Staffing Issues and an advisory committee to provide advice to the the Joint Select Committee.

LD AN ACT TO REQUIRE AN INDEPENDENT DETERMINATION LVWD  
402 OF THE FITNESS OF AN APPLICANT TO PROVIDE  
LONG-TERM CARE SERVICES

Sponsor: DOW, Pines, Carroll, Gill  
Committee Report: LVWD

SUMMARY: This bill would have required a certificate of need review for applicants for nursing home licenses to include annual survey reports, complaints records, and adverse licensing actions in cases where the applicant for a license operates other nursing homes also.

LD AN ACT TO PROMOTE EQUITY IN DETERMINING MEDICAID CARRY-OVER  
412 ELIGIBILITY FOR INSTITUTIONALIZED CARE

Sponsor: MARTIN, Lisnik, Dellert, Clark N  
Committee Report: OTP-A  
Amendments Adopted:  
H-307 COMMITTEE  
H-374 MANNING

SUMMARY: This bill would have established special income rules for determining Medicaid eligibility of married couples when one member of the couple is eligible for institutional care funded by Medicaid. Current law establishes a rebuttable presumption that each spouse has 1/2 interest in the total combined monthly income of both spouses. The bill would have provided several statutory criteria for rebutting that presumption.

Enactment of this bill may have placed Maine in noncompliance with federal Medicaid rules and jeopardized Maine's Medicaid funding. The committee amendment (H-307) would have enacted the legislation and sunset the legislation effective March 1, 1988. This was an attempt to send a strong message to Congress that action is needed to correct the current inequity while not jeopardizing current Medicaid funding.

House Amendment (H-374) removed the sunset provision.

The bill was re-referred to the committee and held-over.