

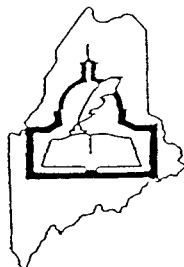
MAINE STATE LEGISLATURE

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
114TH LEGISLATURE
SECOND REGULAR SESSION



BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
HUMAN RESOURCES

JUNE 1990

MEMBERS:

*Sen. N. Paul Gauvreau
Sen. Bonnie L. Titcomb
Sen. Edwin C. Randall

*Rep. Peter J. Manning
Rep. Neil Rolde
Rep. Bradford E. Boutilier
Rep. Margaret Pruitt Clark
Rep. Christine F. Burke
Rep. Mary R. Cathcart
Rep. Everett O. Pederson
Rep. Jean T. Dellert
Rep. Michael F. Hepburn
Rep. Peggy A. Pendleton

*Denotes Chair

Staff:

Julie S. Jones, Principal Analyst
Paul J. Saucier, Legislative Analyst

Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207) 289-1670

MARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, PRINCIPAL ANALYST
JULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
GILBERT W. BREWER
TODD R. BURROWES
GRO FLATEBO
DEBORAH C. FRIEDMAN
JOHN B. KNOX



STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL.: (207) 289-1670

PATRICK NORTON
HARTLEY PALLESCHI
MARGARET J. REINSCH
PAUL J. SAUCIER
JOHN R. SELSER
HAVEN WHITESIDE
JILL IPPOLITI, RES. ASST.
BARBARA A. MCGINN, RES. ASST.
BRET A. PRESTON, RES. ASST.

**One Hundred and Fourteenth Legislature
Second Regular Session**

**Joint Standing Committee
Bill Summaries**

June 1990

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 for each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action is listed to the right of the title. Committee Reports and Floor Action are abbreviated as follows:

OTP
OTP-ND
OTP-ND-NT
OTP-A
ONTP
LVWD
INDEF PP

Ought to Pass
Ought to Pass in New Draft
Ought to Pass in New Draft, New Title
Ought to Pass as Amended
Ought Not to Pass
Leave to Withdraw
Indefinitely Postponed

Each individual summary was prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond, and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.

The Committee Amendment replaced the original bill and authorizes the Department of Human Services to impose a penalty on vendors who violate provisions of the Women's, Infants and Children Supplemental Food Program. The penalty would be the same as that imposed against vendors under the Food Stamp Program.

The House Amendment clarifies a reference to the federal food stamp penalty.

**LD 2109 An Act to Expand Estate Recovery from Certain Medicaid
Recipients**

ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
DELLERT	ONTP MAJ	
PERKINS	OTP-AM MIN	
TITCOMB		
MANNING		

SUMMARY

This bill would permit the Department of Human Services to recover from the estates of Medicaid recipients who apply after July 1, 1990 and who are 65. The claim would not be enforced against real estate if used for the support of a surviving spouse, dependent child under 21 or another nonsupporting dependent nor against personal property necessary for the support of one of those persons.

The majority report on this bill was Ought Not to Pass. The minority Committee Amendment would permit recovery against the estates of Medicaid recipients, regardless of age, who were residents of nursing homes. It would have limited recovery to 50% of the value of the estate and provided that no claim could be enforced against a primary residence that was used by a surviving spouse, child or sibling of the recipient or any other person who resided with the recipient for 12 months prior to receipt of nursing home services.

**LD 2112 An Act Relating to the Protection and Advocacy Agency for
Persons with Disabilities**

**PUBLIC 837
EMERGENCY**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
CLARK M	OTP-AM	H-1044
BUSTIN		
CAHILL P		
MANNING		

SUMMARY

This bill relocates the provisions relating to the protection and advocacy agency for persons with disabilities and reorganizes its functions to be consistent with recent federal law authorizing such agencies.

The Committee Amendment clarifies that the agency is not established by law but is an existing agency designated by the Governor. The amendment also clarifies the powers and duties of the agency, its access to records and the procedures for representation by the agency of persons with a public guardian.