

MAINE STATE LEGISLATURE

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STATE OF MAINE
114TH LEGISLATURE
SECOND REGULAR SESSION



BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
HUMAN RESOURCES

JUNE 1990

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**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.

LD 2115

An Act Regarding Preliminary Protection Orders in Child Protective Cases

LV/WD

SPONSOR(S)

NUTTING
BURKE
WHITCOMB

COMMITTEE REPORT

LV/WD

AMENDMENTS ADOPTED

SUMMARY

The bill changes the circumstances under which the court may issue a preliminary protective order in child protective cases. The "serious harm" standard is changed to "serious injury," which is limited to physical injury or impairment.

See also LDs 1833, 2199 and 2227.

LD 2122

An Act to Establish the Advisory Board on Rights of Children in Need of Services

PUBLIC 688

SPONSOR(S)

DELLERT
GILL
BRANNIGAN
BURKE

COMMITTEE REPORT

OTP-AM

AMENDMENTS ADOPTED

H-812

SUMMARY

This bill creates The Advisory Board on Rights of Children in Need of Services. The board will monitor the implementation of rules defining the rights of children in need of services and will advise the Department of Mental Health and Mental Retardation on the implementation. The board will submit a yearly report to the commissioner and the Human Resources Committee.

The Committee Amendment changed the name of the advisory board and the board's membership and duties to include all children receiving services from the Department of Mental Health and Mental Retardation. The Department of Mental Health and Mental Retardation will absorb the costs of this board.

LD 2125

An Act to Clarify the Laws Regarding Recovery of Medicaid Payments from Liable Third Parties

PUBLIC 778

SPONSOR(S)

DELLERT
GILL
GAUVREAU
MANNING

COMMITTEE REPORT

OTP-AM

AMENDMENTS ADOPTED

H-864

SUMMARY

The original bill specified that the Medicaid program is the payor of last resort when other sources of payment are available for medical services. The bill clarifies the obligation of the recipient to repay the department if a settlement or award is received from a third party and clarifies that insurance coverage is considered third party payment.

The Committee Amendment requires a settlement or award to a Medicaid recipient to be withheld by the third party or the recipient's attorney at the request of the Commissioner of Human Services until the amount owed to Medicaid is settled. Either party may apply to the court for an apportionment of the amount.