

MAINE STATE LEGISLATURE

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**STATE OF MAINE
115TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
HUMAN RESOURCES**

AUGUST 1991

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE
FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION
JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1991**

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 volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H - 584 or S - 222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX	<i>Chapter # of enacted Public Law</i>
P&S XXX	<i>Chapter # of enacted Private & Special Law</i>
RESOLVE XXX	<i>Chapter # of enacted Resolve</i>
CON RES XXX	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
EMERGENCY	<i>Enacted law takes effect sooner than 90 days</i>
CARRIED OVER	<i>Bill carried over to 2nd Session</i>
FAILED EMERGENCY ENACTMENT	<i>Bill failed to get 2/3 vote</i>
ONTP	<i>Ought Not to Pass report accepted</i>
LVWD	<i>Leave to Withdraw report accepted</i>
INDEF PP	<i>Bill Indefinitely Postponed</i>
DIED BETWEEN BODIES	<i>House & Senate disagree; bill died</i>
VETO SUSTAINED	<i>Legislature failed to override Governor's Veto</i>
UNSIGNED	<i>Not signed by Governor within 10 days</i>
DIED ON ADJOURNMENT	<i>Action incomplete when 1st session ended</i>

These summaries were 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.

If you have any suggestions or comments on these summaries, please let us know.

and psychiatric patients without a physician's permission. It further requires that patients who are allowed to smoke must be given access to a designated smoking area unless their physician rules that such access would be a danger to the patient or other persons.

Committee Amendment "A" limits the permission for psychiatric and substance abuse patients to those in special units. It requires that they be permitted to smoke in designated areas unless their physician indicates that doing so would be a danger to the patient or other persons and it requires that these areas be enclosed. The amendment removes the requirement that patients in other than psychiatric or substance abuse units who are allowed to smoke be given access to a designated smoking area.

LD 478 An Act to Suspend Administratively Certain Licenses Granted LV/MD
by the Department of Human Services

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
PENDLETON CAHILL P CLARK N	LV/WD	

SUMMARY

This bill allows the Department of Human Services to suspend a license for a children's home, child placing agency, day care facility or nursery school for up to 30 days without a court order if conditions are found that immediately endanger the health or safety of children in any of those facilities.

LD 481 An Act to Improve Community Services to People with Mental LV/MD
Illness

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MELENDY GAUVREAU MANNING GILL	LV/WD	

SUMMARY

This bill exempts mental health projects from the certificate-of-need process if the services developed are offered first to patients who are admitted to them involuntarily under the State's involuntary commitment law.

LD 489 An Act to Change the Specifications for Membership of the PUBLIC 78
Maine Dental Health Council

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
SUMMERS BUSTIN NASH BOUTILIER	OTP-AM	S-39

SUMMARY

This bill broadens the pool of potential appointees to the Maine Dental Health Council by allowing part-time dental clinic professionals to be appointed. Current law calls for a full-time professional from a clinic.

Committee Amendment "A" (S-39) clarifies that one of the part-time professionals appointed from a clinic may be a dentist.

LD 494 An Act to Continue Funding for Peer Support and Advocacy Services for Persons with Mental Illness LV/WD

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BRANNIGAN BOST RYDELL	LV/WD	

SUMMARY

This bill provides funds for the Portland Coalition for the Psychiatrically Disabled to replace federal funding from the National Institutes on Mental Health which is scheduled to end on June 30, 1991.

LD 538 An Act Relating to Assumption of Medical Expenses by the State in Child Protection Investigations UNSIGNED

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
GAUVREAU MANNING CARROLL D	OTP-AM	S-429 BRANNIGAN S-81

SUMMARY

This bill requires that if the Department of Human Services requires that a child receive counseling or other medical services as an alternative to initiating a child protection proceeding against the parents and the child's parents do not have insurance coverage for such services, the Department of Human Services is responsible for providing them.

Committee Amendment "A" (S-81) requires the Department of Human Services to inform the person responsible for a child, when the department requires mental health or medical services as an alternative to a child protective proceeding, that the services must be approved by the department. The amendment also clarifies the requirement in the original bill regarding when the department must pay for those services. The amendment adds an appropriation to the bill.

Senate Amendment "A" (S-429) removes the appropriation from the bill.

The bill was enacted as amended but has not been signed by the Governor. Final resolution of the bill has yet to be determined.

LD 539 An Act to Provide Access to Preventive Dental Care Services to Adults Eligible for Medicaid LV/WD

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
GAUVREAU RYDELL BUSTIN	LV/WD	

SUMMARY

This bill adds preventive, diagnostic and corrective care to the list of dental services available to adults eligible for Medicaid.