

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.

An Act to Limit Major Third-party Payor Status to Governmental Payors and Make Other Technical Changes in the Laws Affecting Hospital Financing (Reported Pursuant to Public Law 1989, Chapter 588, Section 56)

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
	OTP	H-367 S-306 CONLEY

SUMMARY

This bill contains the statutory changes recommended in the 2nd and final report of the Commission to Study the Certificate of Need Law and the Impact of Competitive Market Forces on Ambulatory Health Services, pursuant to Public Law 1989, chapter 588, section 56. The hospital care financing system administered by the Maine Health Care Finance Commission defines certain payors as "major 3rd-party payors" and imposes special obligations upon them. This bill removes all references to major 3rd-party payors from the Maine Health Care Finance Commission laws. The Medicaid program, which is a major 3rd-party payor under current law, would continue to have an obligation to make periodic, equal payments throughout each hospital's fiscal year.

House Amendment "A" (H-367) makes technical corrections to the laws affecting the regulation of hospital financing. It corrects the inadvertent omission of major movable equipment other than medical equipment from the certificate of need program as a result of amendments enacted in 1989. It removes an inadvertent gap in the availability of waivers in the certificate of need law. The amendment adds explicit statutory authority for the Maine Health Care Finance Commission to adjust hospital financial requirements after the end of a payment year to reflect reasonable changes in the hospitals' actually experienced capital costs and liability insurance costs. These changes provide explicit statutory authority for a long-standing practice of the commission that eliminates the need for each hospital to seek an interim adjustment for these items at the very close of each payment year.

Senate Amendment "A" (S-306) modifies the rate per case system in order to ensure that hospital charges are limited to the total amount necessary to recover allowances for capital costs, regardless of the number of units of outpatient service and the number of inpatient admissions that occur in a given payment year.

LD 1611 An Act to More Effectively Recover Overpayments of Public Assistance

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
WEBSTER HEPBURN	ONTP	

SUMMARY

This bill creates an administrative process to liquidate and recover debts owed to the State as a result of overpayments of public assistance benefits. Public assistance includes AFDC, ASPIRE, food stamps and Medicaid.