

MAINE STATE LEGISLATURE

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STATE OF MAINE
115TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
HUMAN RESOURCES

MAY 1992

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1992

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 far right of the title. Various types of final action are abbreviated as follows:

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

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, especially Laurette Knox who coordinated preparation of the overall document.

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

LD 1562 An Act Providing Nursing and Boarding Home Residents with a Right of Action for Violations of Their Resident Rights

**PUBLIC 637
EMERGENCY**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
CLARK N GAUVREAU FARNSWORTH PENDLETON	OTP-AM	S-532

SUMMARY

This bill allows residents of long-term care facilities to bring a private court action for damages and other appropriate relief if their rights as defined by state and federal law and regulations are violated by the long-term care facility.

Committee Amendment "A" (S-532) replaces the original bill. The private right of action in the original bill is maintained, but provisions for compensatory damages, lawyers fees and court costs are removed. A provision in the original bill that excluded awards from Medicaid eligibility determinations is also removed. The amendment also adds an emergency preamble, emergency clause and a fiscal note to the bill.

LD 1650 An Act to Establish Minimum Standards for Special Relief for Border Hospitals

ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
OTT ESTES HICHENS LAWRENCE	ONTP	

SUMMARY

This bill was carried over from the First Regular Session in order to allow time for negotiations to proceed between the Maine Health Care Finance Commission and York Hospital. The bill amends the health care finance laws to establish minimum standards for special relief for border hospitals, and would affect the revenue limits established for York Hospital.

LD 1797 An Act to Establish a Voluntary Trauma-reporting System

PUBLIC 703

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MITCHELL E RICHARDSON MANNING GILL	OTP-AM MAJ ONTP MIN	H-1038 MANNING H-915 MAJ REP

SUMMARY

This bill was carried over from the First Regular Session. It establishes a Trauma Prevention and Control Advisory Committee and authorizes the Emergency Medical Services' Board to establish, maintain and operate a statewide trauma-incidence registry.

Committee Amendment "A" (H-915) removes provisions of the bill that create an advisory committee to oversee the trauma-incidence registry. It also clarifies that hospitals' and physicians' immunity under the trauma reporting laws is limited to actions taken in good faith in accordance with those laws. The amendment also specifies that the registry established under the trauma reporting laws must comply with the requirements of the federal Trauma Care Systems Planning and Development Act of 1990, and it adds a

confidentiality section that prohibits the Emergency Medical Services' Board from disclosing any information that could be used to identify a patient or a member of the patient's family.

House Amendment "A" (H-1038) corrects a term used in the committee amendment.

LD 1910 Resolve, to Establish the Alternative Living Community Program ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BUSTIN	ONTP	
MCCORMICK		
GEAN		
MORRISON		

SUMMARY

This resolve was carried over from the First Regular Session. It establishes a pilot project that involves transferring responsibility for the alternative living program at the Augusta Mental Health Institute to a private provider and retraining state employees to provide a community-based perspective.

LD 1911 An Act Related to the Planning and Delivery of Mental Health Services (Reported Pursuant to PL 1989, chapter 501, Part BB, section 8) PUBLIC 781 EMERGENCY

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
OTP-AM	MAJ	S-626 MAJ REP
ONTP	MIN	

SUMMARY

This bill was carried over from the First Regular Session. It implements the recommendations of the Systems Assessment Commission, including clarification of the role and responsibilities of the Department of Mental Health and Mental Retardation.

Committee Amendment "A" (S-626) replaces the original bill. It retains the part of the bill regarding a state mental health plan but amends that portion by deleting the creation of a planning commission and removing references to organizations that no longer exist. The amendment also retains from the bill studies regarding the mental health needs of Department of Corrections clients and higher education and training needs of the mental health system. Those studies are amended with new reporting dates.

The amendment adds Part C to the bill, which creates pilot regional authorities for mental health services in Region I and Region V. The amendment also adds Part D to the bill, which creates uniform regional boundaries for the Department of Mental Health and Mental Retardation and the Department of Human Services, in accordance with recommendations of the Interdepartmental Council.