

MAINE STATE LEGISLATURE

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STATE OF MAINE
115TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
JUDICIARY

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.

An Act to Clarify the Enrollment Period for the 5-year Medical Liability Demonstration Project and to Clarify Provisions of the Rural Medical Access Program**SPONSOR(S)**GAUVREAU
PARADIS P
HASTINGS**COMMITTEE REPORT**

OTP-AM

AMENDMENTS ADOPTED

S-602

SUMMARY

The bill clarifies the enrollment period for the 5-year Medical Liability Demonstration Project established by Public Law 1989, c. 931. The bill permits open enrollment throughout the 5-year period of the project but does not permit physicians to rejoin after withdrawing. Doctors who originally declined to be in the project would, however, be permitted to join.

Committee Amendment "A" (S-602): The amendment clarifies certain provisions of the Rural Medical Access Program that was established at the same time as the Medical Liability Demonstration Project. This amendment addresses 3 concerns in the current law.

1. The amendment provides that the program payment go directly to the individual or entity that pays the premium. Language is added to ensure that the Department of Human Services can collect the necessary information to make that possible.
2. The terminology is changed from "premium assistance" to "participation in the program" to avoid confusion under federal law that requires certain types of assistance to be offset against expenses, thus reducing the federal money available to certain physicians.
3. The amendment also changes the amount of money in the Rural Medical Access Program fund that is available to provide program payments to participating physicians. During the first year of the program, only 1/2 of the fund could be paid out. This amendment provides that the Bureau of Insurance will determine the amount of the fund used for program payments each year, including the 2nd year of the program, but at least the amount of the assessment collected for that year must be paid out. This leaves a small amount in the fund to help cover shortfalls in years that the assessment is less than the previous year's assessment.
4. The amendment also adds a fiscal note to the bill.

An Act Regarding the Terminally Ill**SPONSOR(S)**CAHILL P
COLES**COMMITTEE REPORT**

ONTP

AMENDMENTS ADOPTED**SUMMARY**

The bill amended the living will statute to allow medically assisted deaths in certain limited circumstances.

The bill allowed a person who has been diagnosed with a terminal condition that is likely to lead to death within a relatively short period of time and whose condition has been certified by 2 consulting physicians to request a medically assisted death. Minors and incompetent persons, including persons in a persistent vegetative state, would not be eligible to request this procedure. No individual would be able to request a medically assisted death for another individual.