

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

STATE OF MAINE  
115TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
HUMAN RESOURCES

MAY 1992

**Staff:**  
*Paul J. Saucier, Legislative Analyst*

*Office of Policy and Legal Analysis  
Room 101, State House Station 13  
Augusta, ME 04333  
(207)287-1670*

**MEMBERS:**

*\*Sen. Gerard P. Conley, Jr.  
Sen. Stephen M. Bost  
Sen. Barbara A. Gill*

*\*Rep. Peter J. Manning  
Rep. Margaret Pruitt Clark  
Rep. Donald H. Gean  
Rep. Tracy R. Goodridge  
Rep. Stephen P. Simonds  
Rep. Sharon A. Treat  
Rep. Jason D. Wentworth  
Rep. Peggy A. Pendleton  
Rep. Susan D. Duplessis  
Rep. Joan M. Pendexter*

*\*Denotes Chair*

IARTHA E. FREEMAN, DIRECTOR  
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST  
ULIE S. JONES, PRINCIPAL ANALYST  
DAVID C. ELLIOTT, PRINCIPAL ANALYST  
DON CLARK  
YAN M. DYTTER  
BRO FLATEBO  
EBORAH C. FRIEDMAN  
MICHAEL D. HIGGINS  
KANE ORBETON



KAREN L. HRUBY  
JILL IPPOLITI  
JOHN B. KNOX  
PATRICK NORTON  
MARGARET J. REINSCH  
PAUL J. SAUCIER  
HAVEN WHITESIDE  
MILA M. DWELLEY, RES. ASST.  
ROY W. LENARDSON, RES. ASST.  
BRET A. PRESTON, RES. ASST.

STATE OF MAINE  
OFFICE OF POLICY AND LEGAL ANALYSIS  
ROOM 101/107/135  
STATE HOUSE STATION 13  
AUGUSTA, MAINE 04333  
TEL.: (207) 289-1670

**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.

**SPONSOR(S)**  
MITCHELL E  
CLARK N  
MANNING

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
H-1218  
H-1244 MANNING

**SUMMARY**

This bill strengthens the laws governing lead poisoning control to increase the number of lead screenings in children and to heighten awareness of lead screening in the State. Key elements of the bill include making the current discretionary State program mandatory and requiring insurance coverage for lead screening.

Committee Amendment "A" (H-1218) replaces the original bill. Major changes from the bill include the following.

1. It restores the discretionary nature of the State's lead control program. The original bill made the program mandatory.
2. As of January 1, 1993, it requires that blood samples taken from children for lead testing be submitted to and tested by the State Health and Environmental Testing Laboratory.
3. As of July 1, 1994, it requires that preschool facilities and licensed children's homes have lead inspections.
4. As of July 1, 1994, it gives tenants and prospective tenants the right to request a lead test at the owner's expense.
5. It directs the Department of Human Services to adopt rules governing the licensure or certification of lead inspectors, lead abatement personnel, training programs and laboratories and creates penalties for those who violate those rules.
6. It directs the Bureau of Insurance to study the impact of mandating insurance coverage for lead screening and testing. The original bill mandated the coverage.
7. It requires the Real Estate Commission to revise its brochure entitled "Buyer-Seller Information" with more information on lead poisoning. The original bill required a lead warning to be printed on real estate contracts.

House Amendment "A" (H-1244) changes the definition of "owner" to specify that a mortgagee is an owner only when the mortgagee has taken actual possession of a property. The amendment also removes language that requires apartment owners to provide lead tests if tenants or prospective tenants with children request them.

**LD 2254 An Act to Facilitate Cooperative Agreements among Maine Hospitals**

**SPONSOR(S)**  
CLARK N  
MANNING  
CONLEY

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
H-1235 MANNING  
S-648

**SUMMARY**

This bill permits hospitals to negotiate and enter into agreements to share facilities and resources without violating antitrust laws. The bill establishes a regulatory process for the review of

cooperative agreements among hospitals and establishes standards for certification to ensure that such agreements serve the public interest.

Committee Amendment "A" (S-648) makes the following changes to the original bill.

1. "Bureau" is replaced with "department" throughout the bill to correct an erroneous reference to the Bureau of Health Planning.
2. Language is added to require the parties to cooperative agreement proposals to submit copies of their proposals to the Attorney General when submitting them to the Department of Human Services.
3. A hospital assessment is created to pay for the regulatory activities required by the bill.
4. A sunset review is added.

House Amendment "A" (H-1235) clarifies that the amount of the hospital assessment is set by the Legislature through the budget allocation process.

**LD 2282      An Act to Require Insurance Companies to Honor Assignment of Medical Benefits for Clients of the Department of Human Services      PUBLIC 815**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
WEBSTER BALDACCI PENDLETON	OTP-AM	S-653

**SUMMARY**

This bill requires insurance companies to respond within 60 days to claims submitted by health care providers or the Department of Human Services on behalf of Medicaid or Maine Health Program recipients.

Committee Amendment "A" (S-653) excludes nonprofit service organizations (such as Blue Cross/Blue Shield) from coverage and clarifies the responsibilities of an insurer or health maintenance organization to provide for payment or notice of denial of a claim or the provision of an explanation of benefits.

**LD 2291      An Act to Consolidate the 10 Existing Committees Dealing with Children and Families into the Maine Commission for Children and Families      ONTP**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
JOSEPH MARTIN J PRAY	ONTP	

**SUMMARY**

This bill abolishes 10 existing children's advisory groups and replaces them with an independent Maine Commission For Children and Families.