

# 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  
116TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
HUMAN RESOURCES

JULY 1993

**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. Judy A. Paradis  
Sen. John E. Baldacci  
Sen. Philip E. Harriman*

*\*Rep. Sharon Anglin Treat  
Rep. Donald H. Gean  
Rep. Joline Landry Beam  
Rep. Michael F. Brennan  
Rep. Michael J. Fitzpatrick  
Rep. Birger T. Johnson  
Rep. Elizabeth Townsend  
Rep. Peggy A. Pendleton  
Rep. Joan M. Pendexter  
Rep. Joseph Bruno*

*\*Denotes Chair*

MARTHA E. FREEMAN, DIRECTOR  
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST  
JULIE S. JONES, PRINCIPAL ANALYST  
DAVID C. ELLIOTT, PRINCIPAL ANALYST  
MARION HYLAN BARR  
JON CLARK  
LISA COPENHAVER  
DEBORAH C. FRIEDMAN  
MICHAEL D. HIGGINS  
JILL IPPOLITI



JOHN B. KNOX  
ROY W. LENARDSON  
PATRICK NORTON  
JANE ORBETON  
MARGARET J. REINSCH  
PAUL J. SAUCIER

JOHN G. KELLEY, RESEARCHER  
DARLENE A. SHORES LYNCH, RESEARCHER  
CARRIE C. McFADDEN, RESEARCHER

STATE OF MAINE  
OFFICE OF POLICY AND LEGAL ANALYSIS  
ROOM 101/107/135  
STATE HOUSE STATION 13  
AUGUSTA, MAINE 04333  
TEL: (207) 287-1670  
FAX (207) 287-1275

**ONE HUNDRED AND SIXTEENTH LEGISLATURE  
FIRST REGULAR SESSION**

**JOINT STANDING COMMITTEE  
BILL SUMMARIES**

**JULY 1993**

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.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. 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:

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

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

4693NRG

Amendment H-418 adds manufacturers and dealers of medical and dental supplies to the list of authorized sellers of needles.

Amendment H-521 clarifies that the bill does not provide immunity from the drug paraphernalia laws when needles are used to inject illegal drugs.

**LD 817**      **An Act to Encourage Fair Medicare Payments to Hospitals and to Extend the Implementation Date for Certain Outpatient Revenue Limits**      PUBLIC 458

**SPONSOR(S)**                      **COMMITTEE REPORT**                      **AMENDMENTS ADOPTED**  
SIMONDS                              OTP-AM                                      H-514  
PARADIS J

**SUMMARY**

Under current law, hospitals must absorb the costs of pursuing Medicare appeals, even though all of the increases in Medicare payments resulting from pursuit of the appeals benefit the other payors for hospital services, rather than the hospital itself. This bill provides that the Maine Health Care Finance Commission will not count Medicare payments in determining hospital revenue limits to the extent that those payments cover the costs of appeals. Increased payments over and above the cost of the appeal or increased payments in future years once the costs of appeal have been recovered will still be counted by the Maine Health Care Finance Commission and will reduce the hospital's revenue limit. The bill also encourages hospitals to engage in research and demonstration projects to improve the effectiveness and efficiency of the services provided by supplementing support of those projects facilitated by the commission's Management Support Fund.

Amendment H-514 deletes the bill's sections relating to research and demonstration projects and amends the section relating to Medicare appeals to allow adjustment only for a successful appeal and only if the cost of the appeal was not previously considered in a hospital's base year budget. The amendment also requires the Maine Health Care Finance Commission to report to the Legislature regarding the Medicare appeals. It also adds a fiscal note to the bill.

**LD 891**      **An Act to Direct the Department of Human Services to Apply for a Medicaid Waiver for Home-based Care for Persons with HIV/AIDS**      ONTP

**SPONSOR(S)**                      **COMMITTEE REPORT**                      **AMENDMENTS ADOPTED**  
CATHCART                              ONTP  
PARADIS J

**SUMMARY**

This bill requires the Department of Human Services to apply for a waiver under the Medicaid program to cover home-based care services for the persons with HIV/AIDS.