

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
117TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
HUMAN RESOURCES

AUGUST 1995

MEMBERS:

**Sen. Joan M. Pendexter
Sen. John W. Benoit
Sen. Rochelle M. Pingree*

**Rep. Michael J. Fitzpatrick
Rep. Birger T. Johnson
Rep. David Etnier
Rep. J. Elizabeth Mitchell
Rep. David C. Shiah
Rep. Kyle W. Jones
Rep. Glenys P. Lovett
Rep. Jeffery Joyner
Rep. Jean Ginn Marvin
Rep. Robert J. Winglass*

Staff:

Jane Orbeton, Legislative Analyst

*Office of Policy and Legal Analysis
Room 101/107/135, 13 State House Station
Augusta, ME 04333
(207)287-1670*

**Denotes Chair*



**Maine State Legislature
OFFICE OF POLICY AND LEGAL ANALYSIS**

State House Station 13, Augusta, Maine 04333
Telephone (207) 287-1670
Telecopier (207) 287-1275

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

**SUMMARY OF LEGISLATION BEFORE
THE JOINT STANDING COMMITTEES**

AUGUST 1995

This document is a compilation of the bill summaries prepared by this office for the Joint Standing 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 publication, History and Final Disposition of Legislative Documents, is helpful in determining to which committee any particular bill was referred.

In this document, 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, together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various categories of final action are abbreviated as follows:

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

These summaries were prepared by the analyst or analysts assigned to the committee. If more detailed information is needed on a bill, contact the committee analyst.

5581LHS

COMMITTEE AMENDMENT "A" (H-65) replaces the appropriation section in order to provide funding for 2 years. The House accepted the committee amendment. The Senate accepted the "ought not to pass" report.

HOUSE AMENDMENT "A" (H-105) strikes the bill and directs the Department of Human Services to contract with the Next Step to provide domestic violence family crisis services within existing state funds. The House and Senate both accepted the House amendment.

LD 128 An Act to Enhance Access to Ombudsman Program Services for Consumers of Residential Care and Nursing Home Residents ONTP

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
FITZPATRICK ONTP

SUMMARY

This bill increases the license fee surcharge for nursing homes from \$5 per bed to \$10 per bed and establishes a license fee surcharge for residential care facilities at \$10 per bed in order to offset General Fund appropriations for the Long-term Care Ombudsman Program, which is mandated to advocate on behalf of residents of these facilities.

LD 130 An Act to Protect Nursing Home Residents ONTP

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
BERRY ONTP

SUMMARY

This bill requires the Department of Human Services to amend the medical criteria for admission to a nursing facility. It gives persons who resided in nursing facilities between July 1, 1993 and the effective date the choice to remain in the facility if they were eligible under the medical criteria used for admission. It requires full reimbursement for services provided to residents of nursing facilities for the time period beginning July 1, 1993 and continuing after the effective date.

LD 132 An Act to Increase Access to Mental Health Services for Medicaid Recipients ONTP

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
TOWNSEND ONTP
BUSTIN
DORE

SUMMARY

This bill provides that Medicaid reimbursement for mental health services by licensed clinical social workers and licensed clinical professional counselors may not be conditioned on the services being provided in a hospital or clinic.

LD 134 An Act to Exempt Certain Small Businesses from Paying the Annual Fee to the Public Drinking Water Fund CARRIED OVER

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
WHITCOMB

SUMMARY

This bill exempts certain small businesses from the fees collected by the Department of Human Services for deposit into the Public Drinking Water Fund.

This bill was carried over to the 2nd Regular Session.

LD 140 Resolve, to Establish a Pilot Project for Medicaid Reimbursement for Acupuncture Treatment of Substance Abuse RESOLVE 41

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
BRENNAN OTP-AM H-464

SUMMARY

This resolve requires the Department of Human Services to undertake a 2-year pilot project to provide Medicaid reimbursement for acupuncture treatment for alcoholism and drug dependency. It requires a report to the Human Resources Committee by January 1, 1998.

COMMITTEE AMENDMENT "A" (H-464) replaces the original resolve. It authorizes the Department of Human Services and the Office of Substance Abuse to establish a pilot project of not more than 2 years' duration to provide Medicaid reimbursement for acupuncture treatment of alcoholism and drug dependency, provided that the project results in no increased cost to the Medicaid program.

LD 144 An Act to Amend Medicaid Eligibility for Admission to Nursing Home Facilities ONTP

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
VOLENIK ONTP

SUMMARY

This bill returns the medical criteria for admission to a nursing home facility to the criteria that were in effect on June 30, 1993. It applies retroactively to all determinations of eligibility for admission on or after July 1, 1993.

See also LD 218 and LD 1121.

LD 147 An Act to Privatize the Health and Environmental Testing Laboratory within the Department of Human Services, Bureau of Health ONTP

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
WHITCOMB ONTP

SUMMARY

This bill establishes a competitive bid process for the Health and Environmental Testing Laboratory of the Department of Human Services. It places responsibility for the bid process in the Bureau of General Services. It requires a report to the State and Local Government Committee documenting that savings of \$50,000 per year are possible and a vote of the committee approving the use of the competitive bid process in order for the legislation to take effect. It requires \$50,000 per year to be transferred from the Health and Environmental Testing Laboratory Special Revenue Account to the General Fund.