

MAINE STATE LEGISLATURE

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STATE OF MAINE
117TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
HUMAN RESOURCES

AUGUST 1995

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**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:

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

LD 584 **An Act to Promote Competition and Managed Care Cost Savings in the Pharmaceutical Market** ONTP

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

SUMMARY

This bill repeals the law governing nondiscrimination in pharmaceuticals pricing, which was enacted in the Second Regular Session of the 116th Legislature.

COMMITTEE AMENDMENT "A" (S-224), the minority report of the committee, adds a fiscal note. It was not accepted in either body.

See also LD 1140.

LD 604 **An Act to Encourage Savings in the Medicaid Program through the Medicaid Waiver** ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
TOWNSEND	ONTP	

SUMMARY

This bill exempts from the Medicaid estate recovery laws the estate of a recipient of home-based and community-based services under the Medicaid waiver program.

LD 622 **An Act to Expand the Jurisdiction of the Consumer Advisory Board of the Department of Mental Health and Mental Retardation by Giving Board Members and its Staff Direct Access to All Areas of Agencies that Serve Clients of the Department of Mental Health and Mental Retardation and People with Autism** PUBLIC 127

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
DAGGETT BUSTIN	OTP-AM	H-156

SUMMARY

This bill recognizes the new community consent decree that replaced the Pineland Consent Decree and gives oversight responsibility for all persons in this State with mental retardation or autism to the Consumer Advisory Board.

COMMITTEE AMENDMENT "A" (H-156) accomplishes the following.

1. It changes an error in a date in the Maine Revised Statutes, Title 34-B, section 1216, subsection 1.
2. It restricts the persons who may receive services to clients of the Division of Mental Retardation.
3. It restricts access to areas, records and personnel of institutions, facilities, agencies and other providers administered by the Division of Mental Retardation or when any client of the division resides or participates in work or in a program.

4. It adds a repeal date to Title 34-B, section 1216 of one year after the United States District Court releases the State from its obligations under the community consent decree.
5. It adds a fiscal note to the bill.

LD 628 Resolve, Establishing a Public Participation Process to ONTP
Make Recommendations Concerning the Delivery of Health
and Social Services

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
TREAT	ONTP	

SUMMARY

This resolve establishes the Health and Social Services Team to solicit broad public response and comment concerning the policy principles articulated in section 2 of this resolve and to gather recommendations from the public concerning changes in the service system that would achieve those principles. By May 15, 1995, the team shall submit the written report of the facilitators retained by the team along with any recommendations of the team to the Legislature and the Governor along with any recommended legislation. The Joint Standing Committee on Human Resources may report out a bill during the First Regular Session of the 117th Legislature to further achieve the principles articulated in section 2.

The team is funded equally by the Department of Human Services and the Department of Mental Health and Mental Retardation from their budgets for administrative services. Staff assistance must be provided by those departments as required by the team.

LD 644 An Act to Expand Eligibility for Benefits under the Adoption PUBLIC 414
Assistance Program EMERGENCY

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MCCORMICK	OTP-AM	S-109

SUMMARY

This bill amends the Adoption Assistance Program to ensure that the program benefits are available for families in which adoptions were finalized before August 1, 1994. Public Law 1993, chapter 686, effective August 1, 1994, extended eligibility to already finalized adoptions if there were facts relevant to a child's eligibility that were not presented at the time of the request for assistance or if the child was eligible for participation in the program at the time of placement and the adoptive parents were not apprised of the program. This bill clarifies that the expansion applies to all adoptions, not just those finalized on or after August 1, 1994.

COMMITTEE AMENDMENT "A" (S-109) rewrites the bill for purposes of clarity. It makes no substantive changes.

LD 664 An Act Regarding the Functioning of the Department of PUBLIC 402
Mental Health and Mental Retardation and Several EMERGENCY
Professional Regulatory Boards

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
	OTP-AM	H-626 H-648 DAGGETT