

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:

<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

Health and Mental Retardation. It requires that contracts from these entities that go through the request-for-proposal procedure be advertised and preceded by an informational meeting. It allows a negotiated contract process if only one bidder is interested. It allows the contracting entities to reject any bids and any proposals submitted during negotiations.

2. It updates the Maine Uniform Accounting and Auditing Practices Act for Community Agencies. It brings the State into compliance with federal law and enhances accountability for agreements between state departments and community agencies.
3. It helps prevent duplicative audits of community agencies and overlapping, uncoordinated and contradictory reporting requirements. It strengthens standardized accounting and audit practices.
4. It allows a department, as defined in the Maine Revised Statutes, Title 5, section 1660-D, to utilize the risk pool concept to assess and resolve a backlog of cases that are currently pending before the department.

HOUSE AMENDMENT "A" TO COMMITTEE AMENDMENT "A" (H-648) adds language that prohibits nonparticipating departments from imposing audit requirements or agreement compliance and cost criteria to an agreement with a community agency that do not conform to the requirements of the Maine Revised Statutes, Title 5, section 1660-D, subsection 16. The amendment also adds a new section that requires the Commissioner of Human Services and the Commissioner of Mental Health and Mental Retardation and the Advisory Committee to the Commissioner to conduct a study of the consolidation of audit divisions with responsibilities for audits and cost determinations of agreements and community agencies. The report is due December 31, 1995.

LD 705 An Act to Discourage Prescription Drug Fraud

PUBLIC 175

SPONSOR(S)
PENDEXTER

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-120

SUMMARY

This bill requires valid photographic identification to be presented by those receiving prescriptions for the most addictive or most frequently abused drugs. It identifies those drugs, defines what constitutes a valid photographic identification card and describes the process that the pharmacist needs to follow.

COMMITTEE AMENDMENT "A" (S-120) replaces the bill. It allows pharmacists to require proof of photographic identification prior to filling prescriptions. It specifies acceptable forms of photographic identification and allows for additional means as adopted by rule of the Board of Commissioners of the Profession of Pharmacy. It authorizes pharmacists to exercise discretion and refuse to fill any prescription or dispense any drug if unsatisfied as to the prescription or the identification or the identity of the patient or the person acting on behalf of the patient. The amendment also adds a fiscal note to the bill.

**LD 744 An Act to Apply the Hospital Cooperation Act of 1992 to
a Broader Range of Health Care and Social Service Agencies**

PUBLIC 232

SPONSOR(S)
FITZPATRICK

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-266

SUMMARY

This bill amends the Hospital Cooperation Act of 1992 to make it applicable to a broader range of health care and social service agencies.

COMMITTEE AMENDMENT "A" (H-266) extends the definition of cooperative agreement for purposes of the Hospital Cooperation Act of 1992 to cover nonprofit mental health care providers and to cover coordinated negotiation and contracting with payors or employers. It requires nonprofit mental health care providers to reimburse the Department of the Attorney General for the reasonable costs of expenses incurred by the department. It caps the possible assessment to pay for work under the Act to \$200,000 per year in the next biennium. It extends from 1995 to 1999 the date for submission of recommendations regarding the Act. It allocates \$20,000 per year to pay for the cost of experts and other costs related to analyzing hospital cooperative activity.

See LD 583.

LD 761 An Act to Establish a Lead Poisoning Fund ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
DAGGETT	ONTP	

SUMMARY

This bill establishes the Lead Poisoning Fund for the purposes of providing low-interest loans for lead paint abatement and providing grants for chelation treatments. The loans may be for up to 10 years. The chelation treatment grants may be for up to \$5000 and are available to households with incomes below 300% of the federal poverty level. The fund is administered by the Commissioner of Human Services. This bill imposes an additional assessment of 25¢ per gallon of paint sold at retail in the State to provide funds for the Lead Poisoning Fund.

LD 771 An Act to Expand Access to Financing for Health and Social Service Agencies PUBLIC 179

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
HARRIMAN	OTP-AM	S-122

SUMMARY

This bill expands the jurisdiction of the Maine Health and Higher Education Facilities Authority to authorize it to finance a broader range of nonprofit health and social service projects.

COMMITTEE AMENDMENT "A" (S-122) removes from the definition of "community health or social service facility" those facilities that only engage in ancillary activities supporting social service agencies. It removes from the definition those facilities that are subject to oversight by the State but are not licensed. It corrects one cross-reference in the bill. It adds a provision allowing the use of letters of credit, insurance contracts, surety bonds or similar financial undertakings in funding reserve funds within the Maine Health and Higher Educational Facilities Authority.

LD 775 An Act to Create a Transitional Pharmacy Benefit Program DIED BETWEEN BODIES

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
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