

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 1135 **Resolve, Directing the Department of Human Services to Establish an Oversight Committee to Study Child Protective Services** ONTP

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

SUMMARY

This resolve requires the Department of Human Services to conduct a comprehensive review of protective and family services for children and to review and update the reports that were required by similar legislation in 1992.

LD 1136 **An Act to Provide Immunity for Clinicians Contracted by the State Forensic Service** PUBLIC 219

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
PENDEXTER OTP-AM S-166
FITZPATRICK

SUMMARY

This bill adds the performance of evaluations on behalf of any court of record to the duties of the State Forensic Service. This bill also extends quasi-judicial immunity standards to any clinicians that contract with the State Forensic Service to perform the evaluations if the evaluation is done in accordance with protocols established by the State Forensic Service.

COMMITTEE AMENDMENT "A" (S-166) adds a fiscal note to the bill.

LD 1139 **An Act to Ensure Efficiency in Delivery of Home Health Care Services in Congregate Settings by Eliminating Unnecessary Regulation** ONTP

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

SUMMARY

Recently the legislature has taken steps to promote congregate care and assisted living. Long-term care services are provided to residents of these congregate housing units by home health care providers. Initially home health care rules were written in contemplation of services being provided in individual dwellings. The home health care rules that apply to such activities as dispensing medication do not account for the possibility of closer supervision in a congregate setting as do the corresponding rules for nursing homes. This bill allows the licensee to apply the nursing facility rules when it would save unnecessary expense.

See also LD 1401.

LD 1140 **An Act to Allow Pharmacies That Serve Long-term Care Recipients to Receive Discounts from Manufacturers** ONTP

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

SUMMARY

This bill exempts a pharmacy that serves recipients of long-term care services from the laws prohibiting price discrimination among wholesalers and purchasers by a prescription drug manufacturer.

See also LD 584.

LD 1142 An Act Regarding Abandoned Prescription Drugs at State Facilities PUBLIC 185

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
PENDEXTER OTP
FITZPATRICK

SUMMARY

Current law does not distinguish prescription drugs from other property that may be presumed abandoned if left by a patient that is or was a resident in an institution. This bill distinguishes prescription drugs from other property and also sets up standards for when they can be presumed abandoned by the patient.

LD 1143 An Act to Adopt Uniform Standards for Substance Abuse Treatment ONTP

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
STEVENS A ONTP

SUMMARY

Currently, the Office of Substance Abuse is developing patient placement criteria to ensure uniform criteria for assessment and treatment of substance abuse problems. This bill requires all facilities that contract with the office to adhere to these criteria after January 1, 1996. The Superintendent of Insurance is required to assist in enforcing these criteria.

LD 1176 An Act to Amend the Maine Cancer Registry Law to Require the Reporting of All Cancer Cases to the Department of Human Services PUBLIC 292

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
ETNIER OTP-AM H-370

SUMMARY

This bill requires nonhospital health care facilities and health care practitioners to report cancer cases. The purpose of this bill is to obtain more complete information by the Maine Cancer Registry.

COMMITTEE AMENDMENT "A" (H-370) exempts from the reporting requirements health care practitioners who provide treatment by spiritual means alone. It also adds a fiscal note to the bill.

LD 1214 An Act to Award Child Support Payments Directly to the Recipient ONTP

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