

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 electronic originals
(may include minor formatting differences from printed original)

**STATE OF MAINE
117TH LEGISLATURE**

SECOND REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
HUMAN RESOURCES¹**

JUNE 1996

MEMBERS:

Sen. Joan M. Pendexter, Chair

Sen. John W. Benoit

Sen. Rochelle M. Pingree

Rep. Michael J. Fitzpatrick, Chair

Rep. Birger T. Johnson

Rep. David Etnier

Rep. J. Elizabeth Mitchell

Rep. Kyle W. Jones

Rep. Glenys P. Lovett

Rep. Jeffery G. Joyner

Rep. Jean Ginn Marvin

Rep. Robert J. Winglass

Rep. Henry L. Joy

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*

¹ Amendments to Joint Rule 13 adopted this session changed the committee name to the Joint Standing Committee on Health and Human Services.



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

13 State House Station, Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

**ONE HUNDRED SEVENTEENTH LEGISLATURE
SECOND REGULAR SESSION**

***Summary Of Legislation Before The Joint Standing Committees
June 1996***

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills.

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are 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 finally passed 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>

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is July 4, 1996.

point of service machines on a periodic basis. The bill would have required the Department of Human Services to apply for a waiver to establish the electronic benefit delivery program and would have required that program to be implemented within 90 days of receipt of the waiver. It would have required a report by January 1, 1996, by the Department of Human Services to the Joint Standing Committee on Human Resources on progress in implementing the program. The original title of the bill was “An Act to Establish an Electronic Benefit Delivery Program for Aid to Families with Dependent Children, Food Stamp, Women, Infants and Children Special Supplemental Food and Medicaid Programs.”

Committee Amendment "A" (H- 842) is the Majority Report. It replaced the bill. It proposed to remove the waiver application date of October 20, 1995 for the electronic benefit delivery program and authorize the Department of Human Services to establish an electronic benefit transfer system. It would have allowed for participation in the electronic benefit transfer system by departments other than the Department of Human Services and for programs in addition to Aid to Families with Dependent Children, food stamps and Medicaid. It would have removed the Women, Infants and Children Special Supplemental Food Program from the participating programs. It proposed to change the date for the report to the Joint Standing Committee on Human Resources from January 1, 1996 to January 1, 1997. It would have added a fiscal note to the bill.

Enacted law summary

Public Law 1995, chapter 675 comprises the provisions of Committee Amendment A. It changes the title of the bill. It authorizes the Department of Human Services to establish an electronic benefit transfer system for delivery of benefits under the Medicaid, food stamps and AFDC programs. It allows for participation in the electronic benefit transfer system by other departments and for other programs. It requires a report to the Joint Standing Committee on Human Resources on January 1, 1997.

LD 974 **An Act to Create an Advisory Board and State and Local Interagency Teams to Assist in the Provision of Care for Children and Adolescents with Severe Emotional Disturbance** ONTP

<u>Sponsor(s)</u> FITZPATRICK	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
----------------------------------	---------------------------------	---------------------------

LD 974, a bill carried over from the First Regular Session, proposed to require that a program of integrated case management and services be provided for children and adolescents with severe emotional disturbance. It would have established the State Interagency Team and several local interagency teams to direct and facilitate the delivery of the integrated services. Under the bill, the Commissioner of Mental Health and Mental Retardation, the Commissioner of Education, the Commissioner of Corrections and the Commissioner of Human Services would have been directed, as members of the Interdepartmental Council, to cooperate in the delivery of integrated services, and an advisory committee for the council would have been created.

LD 1601 **An Act to Allow Physicians' Offices to Receive Discounts from Pharmaceutical Manufacturers** PUBLIC 548

<u>Sponsor(s)</u> JOHNSON	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-725
------------------------------	-----------------------------------	------------------------------------

LD 1601 proposed to exempt intravenous ("IV") drugs dispensed at physicians' offices from the laws prohibiting price discrimination among wholesalers and purchasers by a prescription drug manufacturer.

Committee Amendment "A" (H-725) is the Majority Report. It replaced the bill. It would have created an exception to the nondiscrimination in pharmaceutical pricing laws for parenterally administered oncologic drug products administered at medical office sites. It would have added a fiscal note to the bill.

Enacted law summary

Public Law 1995, chapter 548 comprises the provisions from the Committee Amendment. It creates an exception to the nondiscrimination in pharmaceutical pricing laws for parenterally administered oncologic drug products administered at medical office sites.

LD 1604 **An Act Requiring the Department of Human Services to Reimburse Nursing Home Facilities from Initial Medicaid Eligibility** ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BIRNEY HANLEY	ONTP	

LD 1604 proposed to require the Department of Human Services to reimburse a nursing facility for services it provides to an individual during all periods of time that the individual has been determined to be both medically and financially eligible for Medicaid coverage. See also LDs 1730 and 1806.

LD 1644 **An Act to Amend the Hospital Cooperation Act of 1992 to Facilitate Integrated Health Care Delivery Systems by Authorizing and Supervising Certain Hospital Mergers** PUBLIC 583
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
AMERO	OTP-AM	S-533

LD 1644 proposed to provide for state supervision of certain hospital mergers by allowing hospitals proposing to merge to file an application for a certificate of public advantage under the Hospital Cooperation Act of 1992. The bill would have authorized the Department of Human Services, in conjunction with the Department of Attorney General, to attach conditions pertaining to quality, access and cost to a certificate granted in the case of a merger. The bill would have established procedures to ensure compliance by providing for enforcement of conditions attached to a certificate pertaining to a merger.

Committee Amendment "A" (S-533) is the Majority Report. It proposed to replace the bill. It would have authorized and provided for state review and supervision of certain hospital mergers by allowing hospitals proposing to merge to file an application for a certificate of public advantage under the Hospital Cooperation Act of 1992. It would have authorized the Department of Human Services, in conjunction with the Department of the Attorney General under certain circumstances to attach conditions pertaining to quality, access and cost to any