

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
117TH LEGISLATURE**

**SECOND REGULAR SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
HUMAN RESOURCES<sup>1</sup>**

**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*

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



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**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 &amp; 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&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; 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.

4. Require the Department of Human Services to conform case mix reviewers' definitions for the MDS+ forms with standard medical definitions.

**Committee Amendment "A" (S- 514)** is the Majority Report. It replaced the bill. It would have changed the title to "Resolve, That the Department of Human Services Convene a Task Force on Paperwork Reduction in Nursing Facilities" with a stated purpose of studying the problem of paperwork required for patient assessment, care and reimbursement in nursing facilities, the needs of the patient and family, the nursing and professional staff of the nursing facility, the Department of Human Services and any other interested party and searching for methods of meeting the legitimate needs of all parties in the most efficient and efficacious manner possible. By April 1, 1996, the Commissioner of Human Services would have been required to name the members of the task force, which would have been required to meet by April 15, 1996 and as necessary to accomplish its duties. The task force would have been required to submit to the Joint Standing Committee on Human Resources an interim report by July 15, 1996 and a final report by November 15, 1996. The amendment would have added a fiscal note.

***Enacted law summary***

Resolve 1995, chapter 71 comprises the provisions of the Committee Amendment. It establishes the Task Force on Paperwork Reduction in Nursing Facilities with a stated purpose of studying the problem of paperwork required for patient assessment, care and reimbursement in nursing facilities, the needs of the patient and family, the nursing and professional staff of the nursing facility, the Department of Human Services and any other interested party and searching for methods of meeting the legitimate needs of all parties in the most efficient and efficacious manner possible. By April 1, 1996, the Commissioner of Human Services is required to name the members of the task force, which is required to meet by April 15, 1996 and as necessary to accomplish its duties. The task force must submit to the Joint Standing Committee on Human Resources an interim report by July 15, 1996 and a final report by November 15, 1996. The final report must contain suggestions for changes in rules and the necessary legislation to accomplish the recommendations of the task force.

Resolve 1995, chapter 71 takes effect April 3, 1996.

**LD 1704**

**An Act Redefining the Community Services Structure of the Mental Health System**

PUBLIC 691

Sponsor(s)  
PENDEXTER

Committee Report  
OTP-AM

Amendments Adopted  
S-562

LD 1704 would have repealed language from Public Law 1995, chapter 395 that authorized the transfer of positions and funding from the Augusta Mental Health Institute budget as needed for reassignment to establish local mental health authority districts.

**Committee Amendment "A" (S-562)** is the Majority Report. It proposed to retain section 1 of the bill and add to it. It would have created local quality improvement councils consisting of consumers of publicly funded mental health services, families, parents of minor consumers, service providers and community members. The quality improvement councils would have operated in 7 regions of the State and for the Augusta Mental Health Institute and the Bangor Mental Health Institute. Each council would have included a local service network made up of providers of publicly funded mental health services in the area. Each council would have sent a representative to a statewide quality improvement council. It would have required that the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services report to the Joint Standing

Committee on Health and Human Services by January 1, 1997 and by January 1, 1998 on the operation of the councils and networks and include recommendations for improving the operations and any legislation necessary to accomplish those purposes.

The amendment would have abolished the Southern Maine Regional Mental Health Board on June 30, 1996. It would have given members of that board first option in serving on the quality improvement councils.

The amendment would have authorized the Department of Mental Health, Mental Retardation and the Substance Abuse Services to use revenue received from Maximus initiatives for children's services and to meet the purposes of the consent decree.

The amendment would have changed the request for proposal procedures in the Maine Revised Statutes, Titles 5, 22 and 34-B to shorten the time necessary to notify potential bidders and current providers that a service may be put through a request-for-proposal process, and to shorten the time between the deadline for notification of intent and the request-for-proposal due date to a length that allows sufficient time for potential bidders to respond. The original intent of request-for-proposal laws would have remained unchanged.

The amendment would have added an emergency preamble, emergency clause, an allocation and a fiscal note to the bill.

#### ***Enacted law summary***

Public Law 1995, chapter 691 comprises the provisions of the Committee Amendment. It repeals language from Public Law 1995, chapter 395 that authorized the transfer of positions and funding from the Augusta Mental Health Institute budget as needed for reassignment to establish local mental health authority districts. It creates local quality improvement councils consisting of consumers of publicly funded mental health services, families, parents of minor consumers, service providers and community members. The quality improvement councils will operate in 7 regions of the State and for the Augusta Mental Health Institute and the Bangor Mental Health Institute. Each council will include a local service network made up of providers of publicly funded mental health services in the area. Each council will send a representative to a statewide quality improvement council. It requires that the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services report to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 1, 1997 and by January 1, 1998 on the operation of the councils and networks and include recommendations for improving the operations and any legislation necessary to accomplish those purposes.

The law abolishes the Southern Maine Regional Mental Health Board on June 30, 1996. It gives members of that board first option in serving on the quality improvement councils.

The law authorizes the Department of Mental Health, Mental Retardation and the Substance Abuse Services to use revenue received from Maximus initiatives for children's services and to meet the purposes of the consent decree.

The law changes the request for proposal procedures in the Maine Revised Statutes, Titles 5, 22 and 34-B to shorten the time necessary to notify potential bidders and current providers that a service may be put through a request-for-proposal process, and to shorten the time between the deadline for notification of intent and the request-for-proposal due date to a length that allows sufficient time for potential bidders to respond.

Public Law 1995, chapter 691 takes effect April 11, 1996.