

MAINE STATE LEGISLATURE

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**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:

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¹ 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 & 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.

assisted living services programs in consultation with the long-term care ombudsman program, consumer representatives and providers of assisted living services programs.

The law reorganizes provisions on rulemaking, licensure, fees and fire safety for congregate housing services programs and residential care facilities.

The law adds assisted living facilities to the facilities that come under the jurisdiction of the long-term care ombudsman. A substantially similar provision was deleted from LD 1806, which was enacted as Public Law 1995, chapter 696, because this provision was included in this law.

The law clarifies that fire safety inspections apply to licensed congregate housing facilities.

The law requires the Commissioner of Human Services to review the laws and rules on residential care, long-term care and assisted living, including asset and income treatment and spousal support. It requires a report to the Joint Standing Committee on Human Resources by January 1, 1997.

By October 1, 1996 it requires the Commissioner of Human Services, the Commissioner of Mental Health and Mental Retardation and the State Board of Nursing to report to the Joint Standing Committee on Human Resources on recommendations for standardization of educational courses and utilization of unlicensed assistive personnel who administer medications in long-term care facilities.

It prohibits the Department of Human Services from instituting case mix reimbursement in residential care facilities until July 1, 1997, and requires a report on the issue to the Joint Standing Committee on Human Resources by January 1, 1997.

It amends the definition of professional nursing to include coordination and oversight of patient care services by unlicensed assistive personnel. It requires the State Board of Nursing to adopt rules for the application of that provision to nursing practice. A substantially similar provision was deleted from LD 1806, which was enacted as Public Law 1995, chapter 696, because this provision was enacted in this law.

LD 1863

An Act to Improve the Provisions of Mental Health Services to Patients Residing in the Community

INDEF PP

Sponsor(s)

LEMKE

TUTTLE

Committee Report

ONTP - unofficial vote. See text.

Amendments Adopted

LD 1863 proposed to ensure the proper treatment of patients in the community with serious mental illness or disorder by requiring that, prior to recommending discharge of a patient from a state institution, the Department of Mental Health and Mental Retardation prepare an individual plan that specifies that patient's needs, arrange for delivery of needed services and ensure that funds are available for the services. The plan would have been required to be signed by all agencies that would provide the services to the patient. This bill was never actually referred to committee. The Human Resources Committee heard the bill, having advertised it by LR number (LR3078) and worked it on March 13. The committee voted unanimously Ought Not to Pass. On March 29 the bill was indefinitely postponed, pending referral, in the House. On March 30 it received a similar vote in the Senate.