

MAINE STATE LEGISLATURE

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**STATE OF MAINE
118TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
HEALTH AND HUMAN SERVICES**

JULY 1997

MEMBERS:

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Sen. Susan W. Longley

Sen. Betty Lou Mitchell

Rep. J. Elizabeth Mitchell, Chair

Rep. Joseph E. Brooks

Rep. Elaine Fuller

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Rep. Lois A. Snowe-Mello

Staff:

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ONE HUNDRED EIGHTEENTH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS

Summary Of Legislation Before The Joint Standing Committees
August 1997

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. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

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 Regular 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 IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</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/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</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>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</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>Bill held by Governor</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 First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

David E. Boulter, Director
Offices Located in the State House, Rooms 101/107/135

LD 603 **An Act to Establish a Residency Requirement for General Assistance** **ONTP**

<u>Sponsor(s)</u> MACKINNON		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 603 proposed to remove the prohibition against durational residency requirements as a precondition for general assistance and impose a 6-month residency requirement.

LD 641 **Resolve, to Establish the Study Group on Pay Equity Among Providers of Mental Health and Mental Retardation Services** **ONTP**

<u>Sponsor(s)</u> FARNSWORTH		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 641 proposed to establish the Study Group on Pay Equity Among Providers of Mental Health and Mental Retardation Services.

See LD 581, Resolves 1997, chapter 79, establishing the Commission to Determine the Adequacy of Services to Persons with Mental Retardation.

LD 642 **An Act to Extend the Time Period Used by the Department of Human Services in Determining Medical Eligibility for Medicaid Reimbursement for Residents of Nursing Facilities** **ONTP**

<u>Sponsor(s)</u> GAGNE FERGUSON		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 642 proposed to require the Department of Human Services to adopt rules amending the Medical Eligibility Determination form and Chapter 67 of the Maine Medical Assistance Manual so that applicants for Medicaid reimbursement for nursing facility care would be evaluated based on their entire medical and social condition for 30 days prior to the assessment and so that nursing needs would be recognized if required on 3 or more days during any 14-day period in the 30 days prior to the assessment.

LD 644 **Resolve, to Require a Plan for a Register of Nonlicensed Persons Who Provide Health Care Services** **ONTP**

<u>Sponsor(s)</u> FARNSWORTH		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 644 proposed to require the Department of Mental Health, Mental Retardation and Substance Abuse and the Department of Human Services to prepare for the Legislature a plan for a register of personal care and support providers who are not otherwise regulated.

See LD 1046, Resolves 1997, chapter 29, establishing the Task Force on Registration of In-home Personal Care and Support Workers.

LD 657	Resolve, to Establish the Commission to Examine Rate Setting and the Financing of Long-term Care Facilities	RESOLVE 81 EMERGENCY
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRIPP	OTP-AM	H-301 H-458 MITCHELL J

LD 657 proposed to establish the Commission to Examine Rate Setting and the Financing of Long-term Care Facilities.

Committee Amendment "A" (H-301) proposed to add members to the commission, to add duties from the suggestions of the informal study of nursing home rates during the summer of 1996 and from another bill, and to add an appropriation section and fiscal note to the resolve.

House Amendment "A" to Committee Amendment "A" (H-458) proposed to give legislative members of the commission per diem and reimbursement for expenses incurred for attendance at commission meetings and to increase the appropriation.

Enacted law summary

Resolves 1997, chapter 81 comprises the provisions of the bill, Committee Amendment "A" and House Amendment "A". It establishes the Commission to Examine Rate Setting and the Financing of Long-term Care Facilities, requiring a report with implementing legislation by December 15, 1997. The resolve takes effect June 12, 1997.

LD 664	An Act Regarding the Regulation of Day Care Facilities and Home Baby-sitting Services	ONTP
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PENDLETON P	ONTP	

LD 664 proposed to require the Commissioner of Human Services to adopt rules allowing day care facilities and registered baby-sitting services to care for more children than would otherwise be allowed when there are periods of time of less than 2 hours of coinciding care during the day. It would have applied day care facility licensing to providers of services for one or more children under 16 years of age.

See LD 1893, Public Law 1997, chapter 494 on child care regulation.