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

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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, <u>History and Final Disposition of Legislative Documents</u>, 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:

CARRIED OVER	*Bill carried over to Second Regular Session*
CON RES XXX	*Chapter # of Constitutional Resolution passed by both Houses*
CONF CMTE UNABLE TO AGREE	*Committee of Conference unable to agree; bill died*
DIED BETWEEN BODIES	*House & Senate disagree; bill died*
DIED IN CONCURRENCE	*One body accepts ONTP report; the other indefinitely postpones the bill*
DIED ON ADJOURNMENT	*Action incomplete when session ended; bill died*
EMERGENCY	*Enacted law takes effect sooner than 90 days*
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE	*Emergency bill failed to get 2/3 vote*
FAILED ENACTMENT/FINAL PASSAGE	*Bill failed to get majority vote*
FAILED MANDATE ENACTMENT	*Bill imposing local mandate failed to get 2/3 vote*
INDEF PP	*Bill Indefinitely Postponed*
ONTP	*Ought Not To Pass report accepted*
OTP ND	*Committee report Ought To Pass In New Draft*
OTP ND/NT	*Committee report Ought To Pass In New Draft/New Title*
P&S XXX	*Chapter # of enacted Private & Special Law*
PUBLIC XXX	*Chapter # of enacted Public Law*
RESOLVE XXX	*Chapter # of finally passed Resolve*
UNSIGNED	*Bill held by Governor*
VETO SUSTAINED	*Legislature failed to override Governor's Veto*

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 1241   **Resolve, to Improve the Delivery and Financing of Long-term Care**   **INDEF PP**

Sponsor(s)	Committee Report	Amendments Adopted
BENNETT	OTP-AM	
WINSOR		

LD 1241 proposed to eliminate occupancy-related penalties applied to nursing facilities with 60 or fewer beds in the reimbursement principles and to correct a technical reading of the days awaiting placement provision of the statute. It proposed to eliminate reductions in payment currently used as a means of sanctioning facilities for paperwork errors. It proposed to require that the forms now used to calculate case mix adjustments for payment purposes and the forms used to determine medical eligibility must be combined, so that a single set of forms and protocols is required for both purposes. It proposed to require that nursing facilities perform these assessments in accordance with guidelines by the Department of Human Services. It proposed to require the department to provide a means for facilities to gain access to data concerning quality and efficiency.

Committee Amendment "A" (S-208) proposed to replace the bill. It would have required the Commissioner of Human Services to adopt rules amending the principles of reimbursement for nursing facilities to apply an occupancy adjustment to facilities with 60 or fewer beds when the annual level of occupancy is less than 85% and added an appropriation and a fiscal note.

See also LD 1138, Public Law 1997, chapter 395, Part N-1 and N-2, which contains the 85% adjustment factor provision similar to the Committee Amendment and an appropriation of $37,245 in FY 1997-98.

LD 1255   **An Act to Simplify Child Care Regulation in Maine**   **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
TOWNSEND	ONTP	

LD 1255 proposed to require licensing of all family child care homes by July 30, 1999. The bill would have continued to allow individuals to care for up to 2 children unrelated to the care provider without being licensed. It would not have affected individuals caring for children of relatives.

See LD 1893, the committee bill on child care regulation, enacted as Public Law 1997, chapter 494.

LD 1275   **An Act to Allow a Separate, Nonsmoking Area for a Beano or Bingo Game**   **PUBLIC 232**

Sponsor(s)	Committee Report	Amendments Adopted
DUNLAP	OTP-AM	H-285
CATHCART		

LD 1275 proposed to provide that an organization licensed to conduct beano or bingo games may establish a nonsmoking area in a room or outdoor area separate from the area where numbers are called if that room or outdoor