

# 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:***

***Sen. Judy Paradis, Chair***

***Sen. Susan W. Longley***

***Sen. Betty Lou Mitchell***

***Rep. J. Elizabeth Mitchell, Chair***

***Rep. Joseph E. Brooks***

***Rep. Elaine Fuller***

***Rep. Thomas J. Kane***

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***Rep. Glenys P. Lovett***

***Rep. Jeffery G. Joyner***

***Rep. Tarren R. Bragdon***

***Rep. Lois A. Snowe-Mello***

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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](http://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 &amp; 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&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>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 1584**

**An Act Regarding Confidentiality of Information Concerning Residents of Certain Facilities**

**PUBLIC 342**

Sponsor(s)  
WINN

Committee Report  
OTP-AM

Amendments Adopted  
H-412

LD 1584 proposed to direct the Department of Human Services to require residential care facilities, congregate housing services programs, drug treatment centers and children's homes to develop policies for releasing nontreatment information about residents to guardians and certain public agencies modeled on confidentiality policies developed by the department. The bill would have required the Interdepartmental Council to develop a plan for the informal exchange of information about children receiving residential services.

**Committee Amendment "A" (H-412)** proposed to require that the Department of Human Services to establish by rule confidentiality guidelines for releasing nontreatment information about minor residents in residential care facilities, congregate housing, drug treatment centers and children's homes to law enforcement agencies, schools, parents, guardians or other appropriate public agencies. The amendment would add a fiscal note to the bill.

*Enacted law summary*

Public Law 1997, chapter 342 comprises the provisions of the Committee Amendment. It directs the Department of Human Services to adopt model confidentiality guidelines regarding information on minor residents of residential care facilities, congregate housing, drug treatment centers and children's homes.

**LD 1585**

**An Act to Provide Additional Adoption Assistance to State Employees**

**CARRIED OVER**

Sponsor(s)  
SPEAR

Committee Report

Amendments Adopted

LD 1585 proposes to establish an additional adoption assistance program for employees of this State who adopt children. Benefits are proposed to be limited to actual costs of adoption, including but not limited to medical costs not covered by insurance, fees of licensed adoption agencies, fees for the court process and attorneys and fees for investigations. The bill was carried over to the Second Regular Session of the 118th Legislature.

**LD 1620**

**An Act to Amend the Laws Regarding Intervenor Status for Foster Parents in Certain Cases of the Department of Human Services**

**PUBLIC 343**

Sponsor(s)  
MCALEVEY  
MITCHELL B

Committee Report  
OTP-AM

Amendments Adopted  
H-411

LD 1620 proposed to change the requirement for becoming an intervenor in child protection proceeding for foster parents by decreasing the requirement of having the child in the foster parent's home from one year to 90 days.

**Committee Amendment "A" (H-411)** proposed to amend the bill, setting the requirement for becoming an intervenor at 120 days.

*Enacted law summary*

Public Law 1997, chapter 343 comprises the provisions of the bill and the Committee Amendment. It decreases the time period for a foster parent to obtain intervenor status in court from 365 days to 120 days.

**LD 1627**                      **An Act to Promote Healthy Maine Families**                      **ONTP**

| <u>Sponsor(s)</u>      | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|------------------------|-------------------------|---------------------------|
| MITCHELL E<br>LAWRENCE | ONTP                    |                           |

LD 1627 proposed to promote the Youth Smoking Prevention Fund to reduce the prevalence of tobacco use and abuse by Maine youth, to increase the number of children and working adults eligible for Medicaid and to provide prescription drug benefits to the qualified elderly. The bill would have increased the tax on tobacco products and dedicated the funding from the increase to the Youth Smoking Prevention Fund and to the expanded Medicaid program, which is funded out of a new Healthy Families Fund.

See also committee bills, LD 1886 and 1887 and Governor King's bill, LD 1898.

See also LD 1904, Public Law 1997, chapter 560.

**LD 1634**                      **An Act to Provide Information to Consumers of Health Care**                      **PUBLIC 337**

| <u>Sponsor(s)</u>   | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| PENDLETON P<br>NASS | OTP-AM                  | S-200                     |

LD 1634 proposed to provide consumers the freedom to choose any licensed home health care provider available in their area. It would have required hospitals to provide to patients who require home health care a list of licensed home health care providers with a disclosure of any financial interest of the hospital in those agencies.

**Committee Amendment "A" (S-200)** proposed to require that hospitals and nursing facilities provide for patients or residents who need nursing facility care or home health care information about the providers in the area and disclose any financial connection between that entity and or nursing facility or home health provider.

*Enacted law summary*

Public Law 1997 chapter 337 comprises the provisions of the Committee Amendment. It requires hospitals and nursing facilities to give information about home health and nursing home providers of services and about financial connections to all residents or patients being discharged who need those services.