

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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Staff:

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Maine State Legislature

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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:

- 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 1737 proposes to establish safeguards for maintaining the confidentiality, security and integrity of health care information. It establishes requirements for confidentiality and authorization by patients for disclosure of their health care information and exceptions to the requirement of authorization. It removes the requirement that HIV information be treated differently from other health information and enhances the confidentiality of the medical record. This bill was carried over to the Second Regular Session of the 118th Legislature.

See also LD 1779.

LD 1743 **Resolve, Regarding Consumer-directed Personal Assistance Services and Respite Services** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PARADIS PIEH	ONTP	

LD 1743 proposed to require that consumer-directed personal assistance services be made available to consumers who are able to self-direct the management of that care and to consumers who need the assistance of an unpaid steward to manage the care. The resolve would have required that respite care be made consumer-directed when possible.

LD 1744 **Resolve, to Plan for Services for Children with Mental Health Needs** **RESOLVE 80**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PENDLETON P KANE	OTP-AM	S-334 S-401 MICHAUD

LD 1744 proposed to require the Departments of Human Services and Mental Health, Mental Retardation and Substance Abuse Services to develop community-based acute crisis stabilization beds for children and to report annually on the progress of the development.

Committee Amendment "A" (S-334) proposed to replace the bill, requiring the Departments of Corrections, Education, Human Services and Mental Health, Mental Retardation and Substance Abuse Services to work together to design a comprehensive plan for the delivery of children's mental health services. It would require the Departments of Human Services and Mental Health, Mental Retardation and Substance Abuse Services to adopt changes in the Medicaid rules to establish a gatekeeper for children's mental health services and to report periodically to a subcommittee of the Joint Standing Committee on Health and Human Services on their progress. The amendment would add a fiscal note to the bill.

Senate Amendment "A" to Committee Amendment "A" (S-401) proposed to limit the subcommittee to 4 meetings and allowed per diem and reimbursement for expenses for legislators. It would add an appropriation section.

Enacted law summary

Resolves 1997, chapter 80 comprises the provisions of the Committee Amendment and Senate Amendment "A". It requires the Departments of Corrections, Education, Human Services and Mental Health, Mental Retardation and Substance Abuse Services to develop a plan for children's mental health services, to establish a gatekeeper for those services and to report periodically on their progress to a subcommittee of the Health and Human Services Committee.

LD 1750 An Act Concerning the Rights of Children with Special Needs CARRIED OVER

<u>Sponsor(s)</u> MITCHELL J	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 1750 proposes to outline principles of operation that the Department of Mental Health, Mental Retardation and Substance Abuse Services, in cooperation with the Departments of Human Services, Education and Corrections, must adhere to in developing and delivering services to children with special needs. It would require the department biennially to provide an assessment to the parent or guardian of a child with special needs identifying that child's special needs and the resources necessary to meet those needs and the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services to report annually to the Legislature on the individual assessments performed, the needs identified and the estimated costs to meet those needs. It establishes the Interdepartmental Children's Ombudsmen to advocate for the rights and dignity of children with special needs, receive complaints, resolve disputes, act as information sources and make recommendations. This bill was carried over to the Second Regular Session of the 118th Legislature.

LD 1757 An Act to Further Maine's Welfare Reform Initiatives and Establish ONTP
Maine's Temporary Assistance for Needy Families Program

<u>Sponsor(s)</u> PARADIS LOVETT	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1757 proposed to establish the TANF program to replace the AFDC program. These changes were required as the result of the passage by the Federal Government of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

See Committee bill, LD 1896, Public Law 1997, chapter 530.

LD 1762 Resolve, Establishing the Task Force to Evaluate the Creation of a ONTP
Centralized State Office of Advocacy Services

<u>Sponsor(s)</u> ROWE	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1762 proposed to establish the Task Force to Evaluate the Creation of a Centralized State Office of Advocacy Services.