

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
118TH LEGISLATURE

SECOND REGULAR SESSION  
AND  
SECOND SPECIAL SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
HEALTH AND HUMAN SERVICES

MAY 1998

*MEMBERS:*

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*Sen. Susan W. Longley*  
*Sen. Betty Lou Mitchell*

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**ONE HUNDRED EIGHTEENTH LEGISLATURE**  
**SECOND REGULAR AND SECOND SPECIAL SESSIONS**

**Summary Of Legislation Before The Joint Standing Committees**  
**May 1998**

We are pleased to provide this summary of bills that were considered by the Joint Standing Committees of the Maine Legislature. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. 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 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:

- 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 Second Regular Session (unless otherwise specified in a particular law) is June 30, 1998 and July 9, 1998 for the Second Special Session. Second Special Session laws include Public Laws beginning with Chapter 718, Private and Special Laws beginning with Chapter 82 and Resolves beginning with Chapter 117.

LD 2118

**An Act to Increase Economic Security for the State's Low-income Children and Families and Prevent Additional Costs to Municipalities**

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RAND MITCHELL J	OTP-AM	

LD 2118 proposed to increase the amount of Temporary Assistance for Needy Families by increasing the standard of need and the maximum payment for families by an amount equal to 5%.

**Committee Amendment "A" (S-497)** proposed to replace the bill. It proposed to add an emergency preamble and an emergency clause. It proposed to require an increase in benefits under the Temporary Assistance for Needy Families program (TANF) by 5% of the benefit amount in effect on January 1, 1998, while disallowing the increase for households receiving the earned income disregard. The increase would not have affected households receiving the special housing allowance continuously from June 1, 1998. Eligibility would have been determined for new applicants for TANF using the gross income pretest in effect on January 1, 1998. The amendment also proposed to add an appropriation, an allocation and a fiscal note to the bill.

See also LD 1950, Public Law 1997, chapter 643, Part A-1.

**LD 2133**

**An Act to Establish and Maintain an Immunization Information System**

PUBLIC 670

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL J	OTP-AM	H-1021

LD 2133 proposed to direct the Department of Human Services, no later than January 1, 1999, to establish an immunization information system. As part of this system, the department would require all immunization providers to submit to the department a record of each immunization administered.

**Committee Amendment "A" (H-102)** proposed to direct the Department of Human Services to establish an immunization information system. It proposed to allow persons to choose not to be included in the system. It proposed to require rulemaking regarding the opt-out process, confidentiality, penalties for unauthorized disclosure, immunity for good-faith disclosure, data transmission and department access to information on those persons who have chosen not to be included in the system in order to control an outbreak of a disease preventable by immunization. It proposed to delay implementation of the immunization information system until the receipt of federal funds and add a fiscal note to the bill.

***Enacted law summary***

Public Law 1997, chapter 670 comprises the provisions of the bill and Committee Amendment "A". It directs the Department of Human Services to establish an immunization information system and requires immunization providers to provide information to the department. It allows persons to choose not to be included in the system. It requires rulemaking regarding the opt-out process, confidentiality, penalties for unauthorized disclosure, immunity

for good-faith disclosure, data transmission and department access to information on those persons who have chosen not to be included in the system in order to control an outbreak of a disease preventable by immunization. It delays implementation of the immunization information system until the receipt of federal funds.

**LD 2137                    An Act to Address the Crisis in Access to Dental Care for Low-income Children**

**PUBLIC 667  
EMERGENCY**

<u>Sponsor(s)</u> MITCHELL J		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-895
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LD 2137 proposed to require the Department of Human Services to establish a toll-free telephone referral system for children's dental services under the Medicaid program. If an adequate system is not in place by January 1, 1999, the bill proposed that the department would require to take additional steps, including, but not limited to, enhanced reimbursement for dentists and contracting with dental clinics or health centers.

**Committee Amendment "A" (H-895)** proposed to replace the bill. It proposed to require a telephone referral service for Medicaid dental services for children and an annual report and action plan on access from the Department of Human Services. It also proposed to add a fiscal note.

***Enacted law summary***

Public Law 1997, chapter 667 comprises the provisions of Committee Amendment "A". It requires the Department of Human Services to establish a telephone referral service for Medicaid dental services for children and requires an annual report and action plan on dental access. The law takes effect April 2, 1998.

**LD 2141                    An Act to Enhance the Membership of the Maine HIV Advisory Committee**

**ONTP**

<u>Sponsor(s)</u> WATSON PENDLETON P		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 2141 proposed to increase the membership of the Maine HIV Advisory Committee from 36 to 41 members.

**LD 2151                    An Act to Regulate the Functioning of End-stage Renal Disease Facilities**

**PUBLIC 658**

<u>Sponsor(s)</u> FULLER		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-912
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LD 2151 proposed to require a state license for end-stage renal disease facilities including an annual survey to ensure the public health, safety and welfare of dialysis patients in the State. It proposed to allow the Medicare survey to be deemed to meet state rules, thereby avoiding duplication of the survey process.