

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).

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.

to provide the Superintendent of Insurance with access to documents filed by the entity and adopt such rules as are necessary for the administration of contracts with health care servicing entities.

The bill also proposed to grant the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services the same authority regarding health care servicing entities as that granted the Department of Human Services.

This bill proposed to exempt health care servicing entities from licensure and other requirements of the Maine Insurance Code for those activities undertaken in conjunction with any contract between the entity and the Department of Human Services or the Department of Mental Health, Mental Retardation and Substance Abuse Services.

Committee Amendment "A" (H-992) proposed to add the issue of access to services to issues that are proposed to be the subject of standards for health care servicing entities.

Enacted law summary

Public Law 1997, chapter 676 comprises the provisions of the bill and Committee Amendment "A". It authorizes the Department of Human Services to contract with health care servicing entities. It requires the Department of Human Services to establish standards for the conduct of the health care servicing entity. Those standards must be included in any contract between the department and the entity. The department is required to enter into a memorandum of understanding with the Superintendent of Insurance in order to obtain technical assistance and advice regarding the fiscal integrity of contracting entities. The department may require reporting by the health care servicing entity, provide the Superintendent of Insurance with access to documents filed by the entity and adopt such rules as are necessary for the administration of contracts with health care servicing entities. It grants the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services the same authority regarding health care servicing entities as that granted the Department of Human Services.

It exempts health care servicing entities from licensure and other requirements of the Maine Insurance Code for those activities undertaken in conjunction with any contract between the entity and the Department of Human Services or the Department of Mental Health, Mental Retardation and Substance Abuse Services. The law takes effect April 2, 1998.

LD 2261

An Act to Implement the Recommendations of the Commission to Study the Certificate of Need Laws

PUBLIC 689

Sponsor(s)

Committee Report
OTP-AM

Amendments Adopted
H-968

LD 2261 proposed to simplify the certificate of need process for health care facilities and health care services.

Committee Amendment "A" (H-968) proposed to amend the definition of "health care facility" so that the offices of dentists as well as the offices of physicians are exempt from the definition. It also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 1997, chapter 689 comprises the provisions of the bill and Committee Amendment “A”. It simplifies the certificate of need process for health care facilities and health care services and amends the definition of "health care facility" so that the offices of dentists as well as the offices of physicians are exempt from the definition. The law takes effect October 1, 1998.

LD 2268 Resolve, to Establish the Task Force on Hospice Coverage and Palliative Pain Control ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL B MITCHELL J	ONTP	

LD 2268 proposed to establish the Task Force on Hospice Coverage and Palliative Pain Control.

LD 2276 An Act to Provide Funding for Law Enforcement and Emergency Medical Services Personnel P & S 94

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
		S-745 MICHAUD

LD 2276 proposed to provide the Department of Public Safety with a one-time appropriation of \$50,000 to develop a training program for law enforcement and emergency medical services personnel. The training program would have to cover sudden infant death syndrome, critical incident stress management and interpersonal skills dealing with notification of death or serious injury.

Senate Amendment " A " (S-745) proposed to reduce the General Fund appropriation to \$25,000 in fiscal year 1998-99.

Enacted law summary

Private and Special Law, chapter 94 comprises the provisions of Senate Amendment “A”. It appropriates \$25,000 for the Department of Public Safety to develop a training program for law enforcement and emergency medical services personnel to cover sudden infant death syndrome, critical incident stress management and interpersonal skills dealing with notification of death or serious injury.

LD 2279 Resolve, Regarding Legislative Review of Section 71.05(F) (11)-(13) of the Bureau of Elder and Adult Services Policy Manual, a Major Substantive Rule of the Department of Human Services, Bureau of Elder and Adult Services RESOLVE 110 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-1080