

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

SECOND REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
HEALTH AND HUMAN SERVICES**

JULY 2000

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ONE HUNDRED NINETEENTH LEGISLATURE
SECOND REGULAR SESSION

Summary Of Legislation Before The Joint Standing Committees
July 2000

We are pleased to provide this summary of bills that were considered by the Joint Standing and Select Committees of the Maine Legislature this past session. 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 and select committees.

The document is organized for convenient reference to information on bills considered by the 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
NOT PROPERLY BEFORE THE BODY..... Ruled out of order by the presiding officers; bill died
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 August 11, 2000.

David E. Boulter, Director
Offices Located in the State House, Rooms 101 & 107

5. The amendment proposed to require a report by January 1, 2001 on transferring to the Child Ombudsman Office authority for other child ombudsman and advocacy programs and services and the funding associated with those programs and services. It proposed to allow the joint standing committee of the Legislature having jurisdiction over health and human services matters to submit legislation to the 120th Legislature transferring funding and authority for services to the Child Ombudsman Office.
6. The amendment proposed to add requirements for review of policies in the Department of Human Services, Bureau of Child and Family Services regarding child protective matters, and require the provision of information to parents involved in the child protective system.
7. The amendment proposed to add an appropriation and a fiscal note.
8. The amendment proposed to provide an effective date of July 15, 2000 for reviewing child protective services and procedures and October 1, 2000 for the remainder of the bill.

Senate Amendment "A" to Committee Amendment "A" (S-742) proposed to remove those portions of Committee Amendment "A" that proposed to establish the Child Ombudsman Office, require reporting by the Director of the Child Ombudsman Office and provide funding to establish that office.

Enacted law summary

Private and Special Law 1999, chapter 95 requires the Department of Human Services, Bureau of Child and Family Services to review its rules regarding child protective matters and requires the provision of information to parents involved in the child protective system.

LD 975

An Act to Establish a Mental Health, Human Services and Corrections Ombudsman

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TOWNSEND PENDLETON	ONTP	

LD 975 proposed to create the Office of Mental Health, Human Services and Corrections Ombudsman, an autonomous agency designed to represent the best interests of individuals involved in the State's mental health, human services and corrections systems and to provide independent clinical oversight for cases in the State's mental health, human services and corrections systems.

LD 1290

An Act to Create the Position of Ombudsman in the Department of Human Services

ONTP

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

LD 1290 proposed to create the Office of Human Services Ombudsman, an autonomous agency designed to represent the best interests of individuals involved in matters in the Department of Human Services and

to provide independent clinical oversight for cases in the Department of Human Services. The bill proposed to give legislators access to records maintained by the ombudsman relating to child custody cases in which the department is involved, as long as the parents of the child agree.

LD 1322 **An Act to Ensure the Provision of Long-term Care Services** **INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERUBE LOVETT	OTP-AM	

LD 1322 proposed to ensure that in-home care for persons who are in need of long-term care is made available to all eligible participants. This bill proposed to provide that funds appropriated to the in-home care account do not lapse at the end of the fiscal year, but carry over to the next fiscal year. It also proposed to require that funds appropriated to the nursing home account but not spent be transferred to the in-home care account.

LD 1378 **An Act to Ensure Access to Long-term Care Services for Persons with Dementia** **ONTP**

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

LD 1378 proposed to require the Department of Human Services to include in its medical eligibility assessment criteria a certain definition of the term "problem behavior" in order to ensure access to appropriate long-term care services for persons with dementia.

LD 1432 **An Act to Improve Care to Nursing Home Residents by Requiring Adequate Staff to Provide Hands-on Care** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ETNIER BENNETT	ONTP	

LD 1432 proposed to increase the ratios of direct-care providers to residents, define "direct care" as hands-on care and require extra staff at meal times to ensure adequate nutrition to residents. This bill proposed to require the Department of Human Services to contract with one or more experts in the field of nurse staffing research and long-term care to recommend a methodology for determining appropriate nursing facility staffing levels based on resident acuity and to report back to the Legislature by May 1, 1999.

See Public Law 1999, chapter 731, Part BBBB.