

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

FIRST REGULAR SESSION

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

JULY 1999

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Sen. Betty Lou Mitchell*

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ONE HUNDRED NINETEENTH LEGISLATURE
FIRST REGULAR SESSION

Summary Of Legislation Before The Joint Standing and Select Committees
August 1999

We are pleased to provide this summary of all 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:

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
ENACTMENT FAILED.....	Bill failed to get vote required for enactment or final passage
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 First Regular Session (unless otherwise specified in a particular law) is September 18, 1999.

LD 1372**An Act to Give a Caretaker the Same Temporary Assistance for
Needy Families as a Custodial Parent****ONTP**

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

LD 1372 proposed to require the Department of Human Services to allow an individual caretaker who is not the parent of a child and is eligible for TANF benefits for assuming responsibility for a child to receive the same amount of assistance as the department would provide a custodial parent. The bill proposed to define the term “caretaker” as an individual that has or assumes responsibility for the care of a child.

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

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

LD 1378 proposes 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.

This bill has been carried over to the Second Regular Session of the 119th Legislature.

LD 1393**An Act Concerning Due Process Regarding Certified Nursing
Assistants****ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAXL J CATHCART	ONTP	

LD 1393 proposed to require the Department of Human Services to adopt rules providing certain due process rights to a certified nursing assistant who is confronted with specific documented findings of abuse, neglect or misappropriation of property under the Maine Revised Statutes, Title 22, section 1812-G. The Department of Human Services would have been required to:

1. Clarify the definition of abuse;
2. Prove noncriminal abuse by clear and convincing evidence;
3. Provide a right to representation;
4. Inform a certified nursing assistant of a right to representation before any questioning relating to an investigation;