

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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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.

2. It proposed to change references to the Maine Committee on Aging to the long-term care ombudsman and references to the nursing home and boarding home ombudsman to the long-term care ombudsman.
3. It proposed to update definitions of residential care facilities and congregate housing services programs.
4. It proposed to update references to residents of long-term care facilities to include clients of programs.
5. It proposed to update references to state licensing rules using the terms facilities and assisted living facilities.
6. It proposed to require smoke detection and sprinkler systems in residential care facilities.

Enacted law summary

Public Law 1999, chapter 384 adds general and specialty hospitals, critical access hospitals, ambulatory surgical centers, hospice agencies and end stage renal disease units to the list of facilities for which the Department of Human Services can exercise its receivership authority to protect the patients of these facilities.

It also provides that rules regarding congregate housing services programs are routine technical rules; changes references to the Maine Committee on Aging to the long-term care ombudsman and references to the nursing home and boarding home ombudsman to the long-term care ombudsman; updates definitions of residential care facilities and congregate housing services programs; updates references to residents of long-term care facilities to include clients of programs; updates references to state licensing rules using the terms facilities and assisted living facilities; and requires smoke detection and sprinkler systems in residential care facilities.

LD 2039

An Act to Improve Access to Residential Care in Rural Maine

INDEF PP

Sponsor(s)
MILLS

Committee Report
OTP-AM

Amendments Adopted
H-562 KANE
S-222

LD 2039 proposed to address the issue identified in the Final Report of the Commission to Examine Rate Setting and the Financing of Maine's Long-Term Care Facilities, dated November 20, 1998, regarding resident access to long-term care in rural communities by allowing the use of "nursing facility flex beds," through which nursing facilities may use a designated number of beds for nursing or residential care. In circumstances when residents would otherwise have no access to residential care services, either because they live in a rural area where no residential care facility exists or they currently live in a nursing facility and their health improves to the extent that they require only residential care services and the nearest residential care facility is located more than 25 miles from a nursing facility, this bill proposed to enable them to receive residential care without undertaking a major geographic relocation. This bill also proposed to allow nursing facilities reimbursement in such circumstances, in accordance with the level of care provided and in accordance with rules adopted by the Commissioner of Human Services.