

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.

This is a citizen-initiated bill and the issue will proceed to referendum in November, 1999.

LD 2110 **An Act to Ensure Adequate Nutrition for Low-income Legal Aliens** **INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
QUINT RAND	OTP-AM	H-267

LD 2110 proposed to provide for the continuation of food stamp assistance to low-income legal aliens after June 30, 1999. See also Public Law 1999, chapter 401, Part A-1.

LD 2113 **Resolve, Directing the Department of Human Services to Conduct a Review of the Reimbursement Rates under the Medicaid Program for Speech, Language Pathology and Audiology Services** **RESOLVE 28**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
QUINT CATHCART	OTP-AM	H-275

LD 2113 proposed to direct the Department of Human Services to conduct a review of its Medicaid reimbursement rates for speech, language pathology and audiology services and report any recommendations to the Joint Standing Committee on Health and Human Services by December 31, 1999. See also Resolve 1999, chapter 76.

Committee Amendment "A" (H-275) proposed to add occupational therapy and physical therapy to the services for which Medicaid reimbursement is being reviewed.

Enacted law summary

Resolve 1999, chapter 28 directs the Department of Human Services to conduct a review of its Medicaid reimbursement rates for speech, language pathology, audiology services, occupational therapy and physical therapy and report any recommendations to the Joint Standing Committee on Health and Human Services by December 31, 1999.

LD 2119 **An Act to Enhance Competition and Public Health** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'NEIL LAWRENCE		

LD 2119 proposes to prohibit the free distribution of tobacco products to any person in the ordinary course of trade, business or other corporate enterprise and create a civil penalty similar to that in current law for the sale of unpackaged cigarettes. This prohibition would be distinguished from another in current law that prohibits the

free distribution of tobacco products to minors by any person whether that person is acting in the course of business or not. The bill proposes to prohibit self-service displays of tobacco products unless in a business establishment where the primary business is the retail sale of tobacco products. The bill also proposed to prohibit the producers of tobacco products from offering incentives as a reward for increasing sales of tobacco products. The penalty for a violation of these prohibitions would be the same as for violations of other tobacco product sales prohibitions, such as sales to minors and sales through vending machines in unlawful ways. See LD 1582, Public Law 1999, chapter 314 prohibiting self-service tobacco displays.

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

LD 2128 An Act to Amend the Laws Governing the Licensure of Dental Hygienists CARRIED OVER

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

LD 2128 proposes to amend the laws governing the licensure of dental hygienists in the following ways.

1. It proposes to add 3 members to the Board of Dental Examiners, 2 additional dental hygienists and one additional representative of the public.
2. It proposes to set standards for the licensure of dental hygienists by the Board of Dental Examiners.
3. It proposes to increase the number of hours of continuing education that a dental hygienist must successfully complete as a condition of renewal of a license to practice.

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

LD 2150 An Act to Ensure Community-based Services for Persons With Mental Retardation or Autism CARRIED OVER

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

LD 2150 proposes to incorporate into statute portions of the 1994 Community Consent Decree for the provision of services to persons with mental retardation or autism. Before the decree may be terminated by the United States District Court, the decree requires that the State establish mechanisms to ensure future compliance with its terms.

This bill proposes to establish a policy of providing education, training and support services and programs to persons with mental retardation or autism and establish a committee to study whether to identify the population eligible for services and programs within the scope of the Maine Revised Statutes, Title 34-B, chapter 4 as persons with developmental disabilities, or whether to continue to identify the population as persons with mental retardation or autism.