

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Health and Human Services*

August 2001

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120th Legislature
First Regular Session

Summary Of Legislation Before The Joint Standing Committees
August 2001

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 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*
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 First Regular Session (unless otherwise specified in a particular law) is **September 21, 2001**.

David E. Boulter, Director
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the program over-the-counter medications prescribed by a health care provider and approved as benefits and supplies related to the treatment of diabetes. It proposed to add an appropriation, a fiscal note and an effective date.

See Public Law 2001, chapter 439, Part HH, Part II budget.

LD 90 **An Act to Clarify the Provision of Mental Health Services** **ONTP**

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

LD 90 proposed to specify that the funding approved for a psychiatric treatment facility be for a new Augusta Mental Health Institute. The bill proposed to require the Department of Mental Health, Mental Retardation and Substance Abuse Services to provide appropriate community resources necessary for mental health treatment in this State. The bill also proposed to provide that inpatient services be provided at two state-operated, public psychiatric hospitals, one in Bangor named Bangor Mental Health Institute and one in Augusta named Augusta Mental Health Institute, and at privately operated hospitals.

LD 137 **An Act to Provide Accountability in the Handling of Funds for Consumers of Mental Health Services** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SNOWE-MELLO	ONTP	

LD 137 proposed to require representative payees of consumers of mental health services to perform their duties in the manner of fiduciaries and provide quarterly accountings for all funds. The bill proposed to prohibit representative payees from deriving any direct monetary benefit from the relationship. The bill also proposed to allow a person providing case management services, an employee of the Department of Mental Health, Mental Retardation and Substance Abuse Services providing supervision of or reviewing persons or organizations providing publicly funded mental health services or an employee of the Office of Advocacy to examine all financial records regarding the representative payee relationship.

LD 149 **An Act to Provide Services to People with Autism** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SNOWE-MELLO MITCHELL B	ONTP	

LD 149 proposed to require the Department of Mental Health, Mental Retardation and Substance Abuse Services to contract for autism services with the Maine chapter of the Autism Society of America. It proposed to specify

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that the contracted services would include training for trainers; training for persons around the State; attendance at workshops and conferences; and services to schools, group homes, employers, law enforcement agencies, health care professionals, transition programs, social service organizations and service groups. The bill proposed to appropriate \$30,000 per year for these purposes.

LD 159

An Act to Establish a Child Ombudsman Office

ONTP

Sponsor(s)
FULLER

Committee Report
ONTP

Amendments Adopted

LD 159 proposed to do the following:

1. Repeal the statute that established the unfunded Child Welfare Services Ombudsman within the Department of Human Services;
2. Establish the Child Ombudsman Office within the Department of Human Services to provide ombudsman services to children and families through a contract with a nonprofit organization. The office would have answered inquiries and investigated and worked toward resolution of complaints regarding services and programs for children and families, would have provided information, assistance and legal representation services, would have provided an outreach program, would have collected and analyzed information and reported annually to the joint standing committee of the Legislature having jurisdiction over health and human services matters;
3. Provide for access to records, confidentiality of those records and immunity from civil and criminal liability;
4. Require all contracts for services to children and families entered into by the Department of Human Services, the Department of Corrections, the Department of Education and the Department of Mental Health, Mental Retardation and Substance Abuse Services to include a requirement that the provider of services under the contract, beginning July 1, 2002, give written notice to children and families served by the provider or applying for service from the provider that the child or family could use the services of the ombudsman and could use the grievance and appeal procedures of the appropriate state department;
5. Provide an effective date of January 1, 2002; and
6. Require a report by January 15, 2002 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. The bill also would have allowed 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.

See LD 764 and the Part II budget, Public Law 2001, chapter 439, Part X.