

# 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](http://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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## Joint Standing Committee on Health and Human Services

**Committee Amendment "A" (H-516)** is the majority report of the Joint Standing Committee on Health and Human Services. It proposed to direct the Department of Human Services to grant Medicaid eligibility to women who have been diagnosed with breast or cervical cancer under the State's early detection program. It proposed to appropriate state funds and allocate federal funds for these purposes. It proposed to add a fiscal note to the bill.

See Public Law 2001, chapter 439, Part TT.

**LD 244**

### **An Act to Continue the Privacy Protection of Health Care Information**

**PUBLIC 346**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FULLER PENDLETON	OTP-AM	

LD 244 proposed to eliminate the sunset on the health care information privacy legislation adopted by the 119th Legislature.

#### *Enacted law summary*

Public Law 2001, chapter 346 eliminates the sunset on the health care information privacy legislation adopted by the 119th Legislature.

**LD 246**

### **An Act to Ensure Appropriate Audit Procedures**

**PUBLIC 464**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAYO LONGLEY	OTP-AM MAJ OTP-AM MIN	H-664

LD 246 proposed to prohibit the Department of Human Services from proceeding with an audit initiative in which a private vendor is engaged or any vendor is paid on a contingent fee basis to pursue alleged overpayments to health care providers in Maine. Also, the bill proposed to require the department to disclose to the public any mathematical algorithm used in an audit.

**Committee Amendment "A" (H-664)** is the report of the Joint Standing Committee on Health and Human Services. It proposed to remove a retroactivity provision. It proposed to add an effective date of July 1, 2003. It proposed to also add a fiscal note to the bill.

**Committee Amendment "B" (H-665)** is the report of the Joint Standing Committee on Health and Human Services. It proposed to amend the bill by adding an appropriation section, an allocation section and a fiscal note to the bill.

#### *Enacted law summary*

## Joint Standing Committee on Health and Human Services

Public Law 2001, chapter 464 prohibits the Department of Human Services from proceeding with an audit initiative under the Medicaid program in which a private vendor is engaged or any vendor is paid on a contingent fee basis to pursue alleged overpayments to health care providers in Maine. Also, the law requires the department to disclose to the public any mathematical algorithm used in an audit.

The law contains an effective date of July 1, 2003.

**LD 247**                      **An Act to Expand Access to Prescription Drugs with a State Toll-free Number**                      **ONTP**

<u>Sponsor(s)</u> GLYNN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 247 proposed to establish a toll-free telephone number administered by the Department of Human Services to provide information on prescription drug prices and to give advice and assistance in applying for discount or free drugs from private drug companies.

**LD 266**                      **An Act to Consolidate All Aspects of Licensing and Enforcement of Agricultural Fairs Under the Department of Agriculture, Food and Rural Resources**                      **ONTP**

<u>Sponsor(s)</u> BUNKER NUTTING J		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 266 proposed to exempt food establishments, camping areas and lodging at fairs and agricultural exhibitions from the licensing and regulatory jurisdiction of the Department of Human Services. It proposed to require the Commissioner of Agriculture, Food and Rural Resources to review existing provisions for regulating food, camping and lodging at agricultural fairs and to make recommendations to ensure the provisions were adequate to protect public health and safety.

**LD 286**                      **An Act to Clarify the Duties of the Maine Developmental Disabilities Council**                      **PUBLIC 25**

<u>Sponsor(s)</u> BROOKS TURNER		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 286 proposed to amend the laws governing the Maine Developmental Disabilities Council to specify that if the position of director of the council were to become vacant the council would be required to recruit and hire a director and that the council would be required to supervise and annually evaluate the director.