

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
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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:

<i>CARRIED OVER</i>	<i>Bill Carried Over to Second Regular Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

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
 Offices Located in the State House, Rooms 101/107/135

Joint Standing Committee on Health and Human Services

LD 453 proposed to require that the special circumstances affecting border hospitals be taken into consideration in all matters involving their licensure and regulation by the Department of Human Services, including certificate of need decisions, and in all matters involving their arrangements with health insurance carriers.

See also LD 1545.

LD 462 **An Act to Clarify the Substance Abuse Law** **PUBLIC 26**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN DAIGLE	OTP	

LD 462 proposed to repeal the Long-term Narcotic Dependency Treatment Project since the Federal Government has ruled parts of it unconstitutional. It also proposed to repeal a related section that was contingent on the commencement of the project.

Enacted law summary

Public Law 2001, chapter 26 repeals the Long-term Narcotic Dependency Treatment Project since the federal government has ruled parts of it unconstitutional. It repeals a related section that was contingent on the commencement of the project.

LD 465 **Resolve, to Provide Medicaid Reimbursement for Service Dogs and Companion Animals** **ONTP**

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

LD 465 proposed that by January 1, 2002, the Department of Human Services amend its rules regarding reimbursement under the Medicaid program to provide for reimbursement for the purchase and maintenance of a service dog or companion animal by a person enrolled in the Medicaid program if the use of the dog or animal was prescribed by a physician. These rules would have been routine technical rules as defined by the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A.

LD 473 **An Act to Provide 4 Additional Personnel to the Department of Human Services Community Services Center** **ONTP**

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

Joint Standing Committee on Health and Human Services

LD 473 proposed a General Fund appropriation of \$140,135 in fiscal year 2001-02 and \$181,573 in fiscal year 2002-03 for the addition of four personnel within the Department of Human Services to provide licensing services.

LD 477 **An Act Directing the Department of Human Services to Annually Adjust Dental Reimbursement Rates Under the Medicaid Program** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'BRIEN DAGGETT	OTP-AM	

LD 477 proposed to direct the Department of Human Services annually to set the Medicaid reimbursement rates for dental services to the 50th percentile of the fees published in the most recent "Survey of Dental Fees, New England Region," published by the American Dental Association.

Committee Amendment "A" (H-625) proposed to replace the bill. It proposed to direct the Department of Human Services to adjust reimbursement rates for dental services under the Medicaid program. It proposed to remove the proposed requirement of an annual adjustment. It proposed to add an appropriation section, an allocation section and a fiscal note to the bill.

This bill was carried over to the Second Regular Session pursuant to SP 652.

LD 478 **An Act to Strengthen the Maine Rx Program** **PUBLIC 379**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLWELL TREAT	OTP-AM MAJ ONTP MIN	H-249

LD 478 proposed to provide notice about prescription drug pricing and the Maine Rx Program when prescription drugs are dispensed pursuant to prescription in Maine.

Committee Amendment "A" (H-249) is the majority report of the committee. It proposed to replace the bill. It proposed to limit the provisions of the bill to drugs dispensed to persons without health coverage and to brand name drugs. It proposed to allow for a separate writing to meet the requirements of the bill. It proposed to clarify the bill by dividing it into outline form. It also proposed to add a fiscal note to the bill.

See also Public Law 2001, chapter 478, (LD 30, the Errors Bill), Part E for technical corrections.

Enacted law summary

Public Law 2001, chapter 379 provides notice about prescription drug pricing and the Maine Rx Program when brand name prescription drugs are dispensed pursuant to prescription in Maine to persons without health coverage. A separate writing may be held to meet the requirements of the law.