

# 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

**LD 1107**                      **Resolve, to Exclude Certain Income Earned by Personal Care Assistants from Eligibility Requirements for State Assistance**                      **ONTP**

|                               |  |                                 |  |                           |
|-------------------------------|--|---------------------------------|--|---------------------------|
| <u>Sponsor(s)</u><br>SAVAGE W |  | <u>Committee Report</u><br>ONTP |  | <u>Amendments Adopted</u> |
|-------------------------------|--|---------------------------------|--|---------------------------|

LD 1107 proposed to direct the Department of Human services to adopt rules to amend its Medicaid household income eligibility requirements by exempting income derived by a member of the household for providing personal care assistant services to another member of the same household.

**LD 1124**                      **Resolve, to Promote More Flexible Use of the Long-term Care Workforce**                      **ONTP**

|                             |  |                                 |  |                           |
|-----------------------------|--|---------------------------------|--|---------------------------|
| <u>Sponsor(s)</u><br>FULLER |  | <u>Committee Report</u><br>ONTP |  | <u>Amendments Adopted</u> |
|-----------------------------|--|---------------------------------|--|---------------------------|

LD 1124 proposed to direct the State Board of Nursing to review its rules to identify how those rules could be amended to allow broader delegation. This resolve also proposed to direct the State Board of Nursing to report the results of its review, including the progress of any proposed rulemaking, to the Joint Standing Committee on Health and Human Services no later than February 1, 2002.

**LD 1125**                      **Resolve, Directing the Department of Human Services to Adjust the Cap on Direct-care Staff Costs for Residential Care Facilities**                      **DIED ON ADJOURNMENT**

|  |  |                                   |  |                                    |
|--|--|-----------------------------------|--|------------------------------------|
| <u>Sponsor(s)</u><br>FULLER<br>PENDLETON |  | <u>Committee Report</u><br>OTP-AM |  | <u>Amendments Adopted</u><br>H-622 |
|--|--|-----------------------------------|--|------------------------------------|

LD 1125 proposed to direct the Department of Human Services to amend the rules regarding reimbursement for residential care facilities under the Medicaid program to increase the cap on direct-care costs in order to allow for staff salaries sufficient to address labor market issues in higher-cost areas of the State.

**Committee Amendment "A" (H-622)** proposed to strike the resolve and directs the Department of Human Services to amend the rules regarding reimbursement for residential care facilities under the Medicaid program to increase the cap on direct-care costs. It proposed to require an inflation adjustment applicable to the industry and specific to the region of the State in which the facility is located. It proposed to add appropriation and allocation sections and a fiscal note.

See also Public Law 2001, chapter 358, Part FF.