

# 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 1310**

**An Act to Amend the Maine Health Data Organization Laws**

**PUBLIC 457  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RAND FULLER	OTP-AM	S-348 S-362 RAND

LD 1310 proposed to make a number of technical corrections to the Maine Health Data Organization laws and repeal language that is outdated. In addition, this bill proposed to eliminate the restriction that the identification of health care practitioners be kept confidential in Maine Health Data Organization public data sets. This bill proposed to require 3rd-party administrators of health care plans to submit clinical and claims data that are currently required of all other health care providers and payors. This bill also proposed to modify the Department of Professional and Financial Regulation statutes to require 3rd-party administrators of health care plans to submit additional reporting information to the Bureau of Insurance.

**Committee Amendment "A" (S-290)** proposed to add emergency language and to make technical corrections in the bill. It proposed to change the membership on the board of the Maine Health Data Organization and to add a penalty for negligent failure to safeguard the identity of patients or providers.

**House Amendment "A" to Committee Amendment "A" (S-643)** proposed to clarify that a regulated insurance entity could disclose personal consumer information to a state government entity only when required as authorized by law.

**House Amendment "B" to Committee Amendment "A" (H-673)** proposed to protect the confidentiality of providers of healthcare.

**House Amendment "C" to Committee Amendment "A" (H-685)** proposed to remove the emergency language.

**Committee Amendment "B" (H-348)** proposed to clarify that a regulated insurance entity or organization may disclose personal information about a consumer to a state governmental entity only insofar as necessary for that entity to perform its duties when reporting is required or authorized by law.

**Senate Amendment "A" to Committee Amendment "B" (S-360)** proposed to remove the emergency language.

**Senate Amendment "B" to Committee Amendment "B" (S-362)** proposed to remove the allocation section.

## *Enacted law summary*

Public Law 2001, chapter 457 makes a number of technical corrections to the Maine Health Data Organization laws and repeals language that is outdated. In addition, this law eliminates the restriction that the identification of health care practitioners be kept confidential in Maine Health Data Organization public data sets. This law requires 3rd-party administrators of health care plans to submit clinical and claims data that are currently required of all other health care providers and payors. This law also modifies the Department of Professional and Financial Regulation statutes to require 3rd-party administrators of health care plans to submit additional reporting information to the Bureau of Insurance.

## Joint Standing Committee on Health and Human Services

This law clarifies that a regulated insurance entity or organization may disclose personal information about a consumer to a state governmental entity only insofar as necessary for that entity to perform its duties when reporting is required or authorized by law.

Public Law 2001, chapter 457 was enacted as an emergency measure effective June 28, 2001.

**LD 1344**                      **Resolve, Establishing the Blue Ribbon Commission to Review Foster Care and Adoption Systems in the State**                      **ONTP**

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

LD 1344 proposed to establish the Blue Ribbon Commission to Review Foster Care and Adoption Systems in the State that would report to the Second Regular Session of the 120th Legislature.

**LD 1345**                      **Resolve, to Establish the Legislative Task Force to Make Legislative and Policy Recommendations to Strengthen Consumer Protection and Quality Outcomes for All In-home and Home Health Care Services**                      **ONTP**

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

LD 1345 proposed to establish the Task Force to Make Legislative and Policy Recommendations to Strengthen Consumer Protection and Quality Outcomes for All In-Home and Home Health Care Services.

**LD 1346**                      **Resolve, to Establish a Commission to Study the Health Care Workforce Shortage**                      **CARRIED OVER**

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

LD 1346 proposed to establish the Commission to Study the Health Care Workforce Shortage to study the labor shortage of health professionals in the State and to report, together with any necessary implementing legislation, to the joint standing committees of the Legislature having jurisdiction over health and human services, labor and education and cultural affairs matters no later than January 1, 2003.

This bill was carried over to the Second Regular Session of the 120<sup>th</sup> Legislature.