

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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Joint Standing Committee on Health and Human Services

records containing information about an identifiable individual from inspection and copying by the public during the data collection phase of the investigation in which the information was collected. The department's decision refusing the inspection and copying would not be reviewable. The amendment proposed to retain in the bill the restriction on the release of records even if the subject of the records provides written authorization; this restriction would apply until the data collection phase is completed.

Enacted law summary

Public Law 2001, chapter 407 provides the Department of Human Services with discretion to withhold epidemiologic investigation records containing information about an identifiable individual from inspection and copying by the public during the data collection phase of the investigation in which the information was collected. The department's decision refusing the inspection and copying is not reviewable. The law restricts the release of records even if the subject of the records provides written authorization; this restriction applies until the data collection phase is completed.

LD 1386

An Act Relating to Low-cost Prescription Drugs

ONTP

<u>Sponsor(s)</u> MICHAEL		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1386, a concept draft pursuant to Joint Rule 208, proposed the following changes to the laws governing low-cost prescription drugs:

1. Creating the Maine Consumer Purchasing Agency and authorizing them to form any buying pool with individuals, companies, associations, pharmacies, states or state agencies for the purpose of purchasing prescription drugs approved by the federal Food and Drug Administration directly from any company in the world; and
2. Allowing any individual, company, association or pharmacy or pharmacy group to purchase prescription drugs approved by the federal Food and Drug Administration directly from any company in the world.

LD 1401

An Act to Amend the Health Care Facility Immunization Laws

PUBLIC 185

<u>Sponsor(s)</u> KANE		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-241
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LD 1401 proposed to amend the law regarding immunization requirements for health care workers to ensure:

1. An adequate, updated and consistent definition of "health care facility";
2. Consistent wording and requirements for health care workers seeking exemption from one or more immunizations, including consistency with federal Occupational Safety and Health Administration requirements for hepatitis B; and

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3. Shifting certain disease- and vaccine-specific requirements to rulemaking instead of law.

Committee Amendment "A" (H-241) proposed to add an exemption from immunization requirements for health care workers for persons who decline hepatitis B vaccinations, as provided in federal Department of Labor, Occupational Safety and Health Administration (OSHA) law and regulations. It proposed to require rules adopted by the Department of Human Services to be consistent with OSHA requirements. The amendment proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 185 amends the law regarding immunization requirements for health care workers, adding an exemption from immunization requirements for health care workers for persons who decline hepatitis B vaccinations, as provided in federal Department of Labor, Occupational Safety and Health Administration (OSHA) law and regulations. It requires rules adopted by the Department of Human Services to be consistent with OSHA requirements.

LD 1417 **An Act to Amend the Membership of the Substance Abuse Services Commission** **PUBLIC 303**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROOKS MITCHELL B	OTP	

LD 1417 proposed to change one membership position on the Substance Abuse Services Commission from nominations from the National Council on Alcoholism in Maine Incorporated, which is no longer functioning, to nominations from a statewide alliance for addiction recovery.

Enacted law summary

Public Law 2001, chapter 303 changes one membership position on the Substance Abuse Services Commission from nominations from the National Council on Alcoholism in Maine Incorporated, which is no longer functioning, to nominations from a statewide alliance for addiction recovery.

LD 1431 **Resolve, to Establish a Commission to Examine Methods to Ensure the Safety of Children and Families** **ONTP**

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