

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

LD 1768

An Act to Create a Comprehensive Prescription Insurance Plan for Maine Seniors through the Implementation of the Recommendations of the Heinz Family Philanthropies Report CARRIED OVER

Sponsor(s)
BENNETT

Committee Report

Amendments Adopted

LD 1768 is a concept draft pursuant to Joint Rule 208.

This bill proposed to create a comprehensive prescription insurance plan for senior citizens of the State in accordance with the recommendations of the Heinz Family Philanthropies study regarding prescription drugs.

The plan would include the following requirements:

1. All Maine citizens 62 years of age and older would be eligible;
2. The plan would be means tested. Premiums, copayments, deductibles and a catastrophic cap would all be tied to income levels and the consumer price index. Persons with the lowest income levels would also have the lowest catastrophic cap;
3. In determining the premiums, deductibles and catastrophic caps for married couples based on household income, a reduction would be given so that those couples are not penalized or disadvantaged;
4. A formulary based on incentives would be established with generic, preferred and nonpreferred drugs;
5. If a generic drug is available, a brand-name drug may be obtained only by paying the difference in cost between the generic and brand-name medication;
6. "Lifestyle" drugs would be excluded from the plan; and
7. The plan would sunset after four full fiscal years.

This bill was carried over to the Second Regular Session of the 120th Legislature.

LD 1782

Resolve, Regarding Legislative Review of Section 4.04K of Chapter 4: Regulations for Licensing/Certifying of Substance Abuse Treatment Programs in the State of Maine, a Major Substantive Rule of the Department of Mental Health, Mental Retardation and Substance Abuse Services

**RESOLVE 44
EMERGENCY**

Sponsor(s)

Committee Report
OTP-AM

Amendments Adopted
H-540

Joint Standing Committee on Health and Human Services

LD 1782 proposed to provide for legislative review of Section 4.04K of Chapter 4: Regulations for Licensing/Certifying of Substance Abuse Treatment Programs in the State of Maine, a major substantive rule of the Department of Mental Health, Mental Retardation and Substance Abuse Services.

Committee Amendment "A" (H-540) proposed to amend the resolve by requiring that Section 4.04K of Chapter 4: Regulations for Licensing/Certifying of Substance Abuse Treatment Programs in the State of Maine be made retroactive to April 20, 2001.

Enacted law summary

Resolve 2001, chapter 44 provides for legislative review of Section 4.04K of Chapter 4: Regulations for Licensing/Certifying of Substance Abuse Treatment Programs in the State of Maine, a major substantive rule of the Department of Mental Health, Mental Retardation and Substance Abuse Services.

Resolve 2001, chapter 44 was passed as an emergency measure effective May 31, 2001.

LD 1790

An Act to Create the Healthy Maine Prescription Program

**PUBLIC 293
EMERGENCY**

Sponsor(s)
SAXL
MICHAUD MH

Committee Report
OTP-AM

Amendments Adopted
H-520

LD 1790 proposed to require the Department of Human Services to implement the Healthy Maine Prescription Program as the Medicaid prescription drug discount program authorized by federal law. The Elderly Low-Cost Drug program would be made part of the Healthy Maine Prescription Program.

Committee Amendment "A" (H-520) proposed to add language authorizing expenditures for prescription drugs, add an appropriation section and allocation sections and add a fiscal note.

See also Public Law 2001, chapter 471 and LD 1830, Public Law 2001, chapter 467.

Enacted law summary

Public Law 2001, chapter 293 requires the Department of Human Services to implement the Healthy Maine Prescription Program as the Medicaid prescription drug discount program authorized by federal law. The Elderly Low-Cost Drug program is made part of the Healthy Maine Prescription Program. The law authorizes expenditures for prescription drugs.

Public Law 2001, chapter 293 was enacted as an emergency measure effective May 25, 2001.

See also LD 1830, enacted as an emergency measure effective June 28, 2001, Public Law 2001, chapter 467, Part B.