

# MAINE STATE LEGISLATURE

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*State Of Maine  
120th Legislature*

*Second Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Health and Human Services*

*May 2002*

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**120th Legislature**  
**Second Regular Session**

**Summary Of Legislation Before The Joint Standing Committees**  
**May 2002**

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 arranged alphabetically by committee name 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:

<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 &amp; 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&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PASSED</i> .....	<i>Joint Order passed in both bodies</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 Second Regular Session (unless otherwise specified in a particular law) is July 25, 2002.

**Patrick T. Norton, Interim Director**  
**Offices located in Room 215 of the Cross Office Building**

## Joint Standing Committee on Health and Human Services

LD 1882 proposed to direct the Department of Behavioral and Developmental Services to recommend a name for the new psychiatric treatment center located in Augusta. See LD 2158, enacted as Resolve 2001, chapter 79.

**LD 1891**                      **An Act Regarding Eligibility for Financing Through the Maine Health and Higher Educational Facilities Authority**                      **PUBLIC 609**

<u>Sponsor(s)</u> BENNETT		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-502
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LD 1891 bill proposed to require that the majority of the members of the governing board of an assisted living facility receiving bonds from the Maine Health and Higher Education Facilities Authority be residents or family members of residents in the program.

**Committee Amendment "A" (S-502)** proposed to require unlicensed assisted living facilities to comply with the standardized contract and resident rights requirements applicable to licensed facilities.

### *Enacted law summary*

Public Law 2001, chapter 609 requires that unlicensed assisted living facilities that receive funding from the Maine Health and Higher Education Facilities Authority comply with the standardized contract and resident rights requirements applicable to licensed facilities.

**LD 1901**                      **Resolve, to Allow Persons with Disabilities to Purchase Coverage Under the Medicaid Program**                      **INDEF PP**

<u>Sponsor(s)</u> DOUGLASS SAXL		<u>Committee Report</u> OTP-AM    MAJ ONTP        MIN		<u>Amendments Adopted</u>
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LD 1901 proposed to require the Department of Human Services to amend the rules allowing persons with disabilities to purchase coverage in the Medicaid program. The rules would maintain income eligibility limits while removing separate limits on earned and unearned income and would provide eligibility for employed persons who have a medically improved disability.

**LD 1913**                      **Resolve, to Implement the Recommendations of the Health Care Workforce Steering Committee**                      **RESOLVE 89**

<u>Sponsor(s)</u> MICHAUD MH SAXL		<u>Committee Report</u> OTP-AM    MAJ ONTP        MIN		<u>Amendments Adopted</u> S-454
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## Joint Standing Committee on Health and Human Services

LD 1913 proposed to create the Health Care Workforce Leadership Council to address the shortage of skilled health care workers in the State. The council would be composed of members from health care employers, health care workers and public and private postsecondary educational institutions.

**Committee Amendment "A" (S-454)** proposed to set the membership at 13, to have the Maine Technical College System provide staffing, and to require reports February 1, 2003 and November 3, 2004.

### *Enacted law summary*

Resolve 2001, chapter 89 creates the Health Care Workforce Leadership Council to address the shortage of skilled health care workers in the State. The council is composed of members from health care employers, health care workers and public and private postsecondary educational institutions. The Maine Technical College System provides staffing. Reports are required January 1, 2003 and November 3, 2004.

**LD 1916**

### **An Act to Improve the Effectiveness of the Driver Education and Evaluation Programs**

**PUBLIC 511**

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

LD 1916 proposed to repeal and amend laws regarding the Driver Education and Evaluation Programs. It proposed to do the following:

1. Repeal the definition of "first offender with an aggravated operating-under-the-influence offense." Program changes eliminate the need for the definition;
2. Amend 2 affected motor vehicle laws to bring them into compliance with program changes. It proposed to correct one law by identifying the Office of Substance Abuse as the location of the Driver Education and Evaluation Programs;
3. Correct 2 laws by identifying the Department of Behavioral and Developmental Services as responsible for certification and licensing of alcohol and other drug treatment programs; and
4. Amend a requirement for after-care, when required, because of changes in treatment practices.