

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

Staff:

*Jane Orbeton, Senior Analyst
Lisa Baldwin, Legislative Analyst*

*Office of Policy and Legal Analysis
13 State House Station
Augusta, ME 04333
(207) 287-1670*

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Maine State Legislature
OFFICE OF POLICY AND LEGAL ANALYSIS

13 State House Station, Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

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 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.

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:

- 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
PASSED..... Joint Order passed in both bodies
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 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 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.

Joint Standing Committee on Health and Human Services

Enacted law summary

Public Law 2001, chapter 511 repeals and amends laws regarding the Driver Education and Evaluation Programs. It makes the following changes.

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

LD 1924

An Act to Support a Continuum of Quality Long-term Care Services

**PUBLIC 666
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN	OTP-AM	S-523
BROOKS		S-611 GOLDTHWAIT

LD 1924 proposed to amend the law administered by the State Board of Social Worker Licensure to permit issuance of conditional licenses following June 30, 2002 to individuals who seek employment in licensed nursing facilities, where the Commissioner of Human Services has certified that this option is necessary to permit nursing facilities to continue to attract and obtain qualified personnel.

The bill also proposed to require the Department of Human Services to make several changes in the system of payment for long-term care, including nursing facility services, residential care facility services and home health services, in order to fairly reflect the current cost of providing those services efficiently. These changes would include an overall requirement that the payment system reflect the current costs of efficiently providing necessary long-term care services, rebasing to the most recently available audited cost figures, rebasing every 3 years, relying on regional wage adjustments applied quarterly, adjusting for inflation using factors that reflect actual increases in operating costs experienced in Maine and allowing nursing facilities to retain savings that they may produce in routine component costs. The bill proposed to include language requiring recognition and payment as fixed costs of certain expenditures that increase the pool of qualified health care workers, including, but not limited to, employee education and training, tuition reimbursement and education loan forgiveness.

The bill further proposed to require that residential care reimbursement rules be changed to include recognition and payment as fixed costs of liability insurance and malpractice costs along with other types of insurance. The current reimbursement rules recognize fire insurance. The bill also proposed to require recognition of allowable costs without imposition of peer review caps.