

# 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**  
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## Joint Standing Committee on Health and Human Services

federal grant money. The program will consult with statewide organizations concerned with the treatment and prevention of asthma.

**LD 2000**                      **Resolve, Directing the Department of Human Services to Apply for a Federal Waiver to Provide Medicaid Benefits to Uninsured Residents with a Diagnosis of Cancer**                      **RESOLVE 84**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHIELDS TURNER	OTP-AM	H-876

LD 2000 proposed to direct the Department of Human Services to apply for a waiver to establish a Medicaid cancer program. Coverage under the program would be limited to persons who have inadequate health care coverage and would cover only the diagnosis and treatment of cancer. Coverage would not begin until the waiver has been obtained from the federal Department of Health and Human Services, Centers for Medicare and Medicaid Services and the Legislature has approved the operation of the program and appropriated funding for coverage in the biennial budget.

**Committee Amendment "A" (H-876)** proposed to remove from the Medicaid cancer program the requirement of 6 months' residency, reduce the income limitation to 250% of the federal poverty level, remove the definition of "inadequate insurance coverage" and remove the requirement of repayment to the State. The amendment also proposed to add a fiscal note to the resolve.

### *Enacted law summary*

Resolve 2001, chapter 84 directs the Department of Human Services to apply for a waiver to establish a Medicaid cancer program. Coverage under the program is limited to persons who lack health care coverage and covers only the diagnosis and treatment of cancer. Coverage may not begin until the waiver has been obtained from the federal Department of Health and Human Services, Centers for Medicare and Medicaid Services and the Legislature has approved the operation of the program and appropriated funding for coverage in the biennial budget.

**LD 2007**                      **Resolve, to Address the Crisis in Direct-care Staff in the Long-term Care System**                      **RESOLVE 85  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KANE MARTIN	OTP-AM	H-886

LD 2007 proposed to direct the Department of Human Services, the State Board of Nursing and the State Board of Education to undertake initiatives regarding the training and certification of unlicensed direct-care staff in the long-term care system. The resolve also proposed to require those entities to initiate a public awareness campaign and to propose legislation expanding training opportunities.

## Joint Standing Committee on Health and Human Services

**Committee Amendment "A" (H-886)** proposed to replace the resolve. It proposed to require reporting to the joint standing committee of the Legislature having jurisdiction over health and human services matters regarding training and certification of unlicensed direct-care staff and require a group of interested parties to meet to collaborate on a public awareness campaign regarding career opportunities in long-term care and to report to the same committee.

The amendment also proposed to add a fiscal note to the resolve.

### *Enacted law summary*

Resolve 2001, chapter 85 directs the Department of Human Services, the State Board of Nursing and the State Board of Education to review the rules regarding training and certification of unlicensed direct-care staff in the long-term care system. It requires reporting to the joint standing committee of the Legislature having jurisdiction over health and human services matters regarding training and certification of unlicensed direct-care staff and requires a group of interested parties to meet to collaborate on a public awareness campaign regarding career opportunities in long-term care and to report to the same committee.

Resolve 2001, chapter 85 was finally passed as an emergency measure effective March 25, 2002.

**LD 2013**                      **An Act to Promote the Health of Maine Women and Girls**                      **INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLWELL TREAT	OTP-AM    MAJ ONTP        MIN	H-875

LD 2013 proposed to continue the Women's Health Initiative started by the 119th Legislature and coordinated by the Department of Human Services, Bureau of Health. The initiative would be implemented through a state contract. The purpose of the initiative is to improve the health status of and access to health services for women and girls. The initiative would be funded with General Fund money for an amount to be contracted out to the entity that provides the services for the program.

**Committee Amendment "A" (H-875)** was the majority report. It changed the General Fund appropriation for fiscal year 2002-03 from \$250,000 to \$100,000. It also added a fiscal note.

**LD 2026**                      **An Act to Transfer Responsibility for Determining Eligibility for the Elderly Low-cost Drug Program from the Department of Administrative and Financial Services to the Department of Human Services**                      **PUBLIC 691**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'BRIEN L TURNER	OTP-AM	H-911 S-553    GOLDTHWAIT

LD 2026 proposed to transfer the responsibility for determining eligibility for the low-cost drug program from the Department of Administrative and Financial Services, Bureau of Revenue Services to the Department of Human