

# 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 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

**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

## Joint Standing Committee on Health and Human Services

Services, Bureau of Family Independence in order to better coordinate the program with the Healthy Maine Prescription Program and the Maine Rx Program. Transfer of the program would be completed by January 1, 2003.

**Committee Amendment "A" (H-911)** proposed to add a provision on retention of eligibility and enact the appropriations and allocations and positions necessary for the transfer of the eligibility function to the Department of Human Services.

**Senate Amendment "A" (S-553)** proposed to correct reference to a budget line in the committee amendment.

### *Enacted law summary*

Public Law 2001, chapter 691 transfers the responsibility for determining eligibility for the low-cost elderly drug program from the Department of Administrative and Financial Services, Bureau of Revenue Services to the Department of Human Services, Bureau of Family Independence in order to better coordinate the program with the Healthy Maine Prescription Program and the Maine Rx Program. Transfer of the program must be completed by January 1, 2003.

**LD 2027**

**An Act Regarding Child Care Facility Laws**

**PUBLIC 645**

Sponsor(s)  
SIMPSON

Committee Report  
OTP-AM

Amendments Adopted  
H-972

LD 2027 proposed to make the following changes to the laws governing day care centers and nursery schools. These changes are necessitated by anticipated changes to the rules governing these facilities:

1. References to "day care center" would be changed to "child care facility";
2. The definition of "children" in the laws governing nursery schools, which is based on the age of a child, would be changed;
3. Provisions in the laws governing nursery schools regarding communicable diseases, ratios and administration of medications would be removed; and
4. The definitions of "day care centers" and "nursery school" would be changed.

**Committee Amendment "A" (H-972)** proposed to clarify language in the bill and provide specificity in the health requirements applicable to staff.

### *Enacted law summary*

Public Law 2001, chapter 645 makes the following changes to the laws governing day care centers and nursery schools. These changes are necessitated by anticipated changes to the rules governing these facilities:

1. References to "day care center" are changed to "child care facility";