

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

*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*

Members:

*Sen. Susan W. Longley, Chair
Sen. Karl W. Turner
Sen. John L. Martin*

*Rep. Thomas J. Kane, Chair
Rep. Joseph E. Brooks
Rep. Elaine Fuller
Rep. Edward R. Dugay
Rep. Benjamin F. Dudley
Rep. Marie Laverriere-Boucher
Rep. Glenys P. Lovett
Rep. Thomas F. Shields
Rep. Julie Ann O'Brien
Rep. Robert W. Nutting*



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 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).

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

1. It renames the burial-transit permit the "disposition of human remains permit" and makes other minor changes to the burial permit laws.
2. It requires residents of the State intending to be married to record notice of their intentions in the office of the clerk of the municipality in which at least one of them resides. It also removes a reference to "justice of the peace" from the list of persons authorized to solemnize marriages.
3. It renames the Office of Vital Statistics within the Department of Human Services the Office of Health Data and Program Management.
4. It requires the Department of Human Services, Bureau of Health to publish a state health plan biennially instead of annually.
5. It changes a reference to a program for children who are crippled to a reference to a program for children who are disabled.
6. It repeals the Cancer Prevention and Control Advisory Committee and establishes the Maine Cancer Registry Data Review Committee.
7. It amends the laws governing personal use regarding owner testing for radon.
8. It makes changes to the laws governing public notification that must be given by a public water system to conform the requirements to federal regulation.

LD 2038

An Act to Amend the Lead Poisoning Control Act

PUBLIC 683

Sponsor(s)
MATTHEWS
EDMONDS

Committee Report
OTP-AM

Amendments Adopted
H-1007

LD 2038 was a concept draft pursuant to Joint Rule 208. The bill proposed to assist the Maine Lead Advisory Council in testing high-risk children for lead poisoning by utilizing information that has already been obtained by the State.

Committee Amendment "A" (H-1007) proposed to replace the bill and its title. It proposed to require the Department of Human Services to distribute information on lead poisoning and to develop and distribute a lead poisoning risk assessment tool. It proposed to require primary health care providers for children to test for blood lead levels in all children one year of age and 2 years of age who are covered by the MaineCare program, which succeeded the Medicaid and Cub Care programs, and to test all children one year of age and 2 years of age unless, in the professional judgment of the attending physician, in conjunction with the use of the lead poisoning risk assessment tool, the child's level of risk does not warrant a blood lead level test. The amendment proposed to require the Department of Human Services to report by March 1, 2005 on the incidence of lead poisoning risk assessment and blood lead level testing. The amendment proposed to require the Department of Human Services to convene a task force of representatives of pertinent health care organizations to determine a standard lead poisoning risk assessment tool for use statewide, to help disseminate the assessment tool and information on lead poisoning

Joint Standing Committee on Health and Human Services

and to assist in developing additional recommendations that will increase lead screening in Maine. The amendment proposed to require the department to report by January 1, 2004 on the initial work of the task force to the joint standing committee of the Legislature having jurisdiction over health and human services matters. The amendment proposed to add an effective date of January 1, 2003, an appropriation and a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 683 requires the Department of Human Services to distribute information on lead poisoning and to develop and distribute a lead poisoning risk assessment tool. Primary health care providers for children are required to test for blood lead levels in all children one year of age and 2 years of age who are covered by the MaineCare program and to test all children one year of age and 2 years of age unless, in the professional judgment of the attending physician, the child's level of risk does not warrant a blood lead level test. The law requires the Department of Human Services to convene a task force of representatives of pertinent health care organizations to determine a standard lead poisoning risk assessment tool for use statewide, to help disseminate the assessment tool and information on lead poisoning and to assist in developing additional recommendations that will increase lead screening in Maine. The department must report to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 1, 2004 on the initial work of the task force and by March 1, 2005 on the results of the lead poisoning risk assessment and blood lead level testing.

Public Law 2001, chapter 683 has an effective date of January 1, 2003.

LD 2045	An Act to Enhance Consumer-directed Personal Assistance Services for Maine Citizens with Disabilities	ONTP
----------------	--	-------------

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
QUINT	ONTP	

LD 2045 proposed to provide that the Department of Labor, Bureau of Rehabilitation Services is the lead agency for providing consumer-directed personal assistance services to citizens of this State with disabilities. The bureau would administer state-funded and Medicaid-funded, consumer-directed personal assistance services programs for people with disabilities and ensure that these services are delivered in the most comprehensive manner possible. See Public Law 2001, chapter 559, part BB for these provisions.

LD 2050	Resolve, Regarding Legislative Review of Chapters I to IV: Regulations Governing the Licensing and Functioning of Assisted Living Facilities, a Major Substantive Rule of the Department of Human Services	RESOLVE 90 EMERGENCY
----------------	---	---------------------------------

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-905

LD 2050 proposed to provide for legislative review of Chapters I to IV: Regulations Governing the Licensing and Functioning of Assisted Living Facilities, a major substantive rule of the Department of Human Services.