

# MAINE STATE LEGISLATURE

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*State Of Maine  
121st Legislature*

*First Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Health and Human Services*

*July 2003*

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# Maine State Legislature



## Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

### 121st Maine Legislature First Regular Session

#### Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint 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>CARRIED OVER PURSUANT TO HP 1212</i> .....	<i>Bills carried over to the 2<sup>nd</sup> Regular Session</i>
<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>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 that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

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

**House Amendment "B" to Committee Amendment "A" (H-585)** proposed to incorporate the substance of Senate Amendment "A" to Committee Amendment "A" (S-281), except that it would remove the emergency preamble and the emergency clause.

**House Amendment "A" to Committee Amendment "A" (H-529)**, which was not adopted, proposed to require the solicitation and use of outside funding to cover all costs of the commission and provide that if sufficient funds are not received no meetings are authorized.

**Senate Amendment "A" to Committee Amendment "A" (S-281)**, which was not adopted, proposed to add an emergency preamble and emergency clause and allow the commission to seek staff assistance from the Legislative Council or from the Office of Policy and Legal Analysis assistance. The amendment proposed to change the reporting date from December 1, 2003 to December 3, 2003. The amendment also proposed to allow the commission to seek outside funding to fully fund itself, except it may not accept funds from any party having a vested interest in the outcome. All contributions would be subject to Legislative Council approval.

### *Enacted Law Summary*

Resolve 2003, chapter 95 establishes the Commission to Study Public Health to study the causes of obesity and methods to decrease the cost of health care and improve public health. The commission is composed of 31 members, of whom 4 are legislators. The Commission is required to submit a report to the Legislature by December 1, 2003 and may introduce its own legislation.

**LD 480**                      **Resolve, To Maintain Flexibility and Safety in Caring for People with Severe and Persistent Mental Illness**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAGGETT O'BRIEN J	ONTP	

LD 480 proposed to direct the Department of Behavioral and Developmental Services to maintain one unit of beds at the Augusta Mental Health Institute. The bill proposed to establish criteria for transfer to a state psychiatric facility and to require the department to report quarterly to the Joint Standing Committee on Health and Human Services on the number of transfer requests. The bill also proposed to require a plan for meeting the needs of patients denied admission when the number of denied admissions exceeded 30% of requests.

**LD 532**                      **Resolve, Directing the Maine Health Data Organization To Evaluate the Current System of Annual Assessments and User Fees**                      **RESOLVE 35**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING WESTON	OTP-AM	H-255

LD 532 proposed to repeal the Maine Health Data Organization's annual assessments against insurers and providers and to repeal the organization's rulemaking authority with regard to enforcement of assessments.

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

**Committee Amendment "A" (H-255)** proposed to replace the bill with a resolve. It proposed to require the Maine Health Data Organization to evaluate its current system of annual assessments and user fees and make recommendations for improvement to the Joint Standing Committee on Health and Human Services by January 30, 2004. The amendment proposed to add a fiscal note to the resolve.

### *Enacted Law Summary*

Resolve 2003, chapter 35 requires the Maine Health Data Organization to evaluate its current system of annual assessments and user fees and make recommendations for improvement to the Joint Standing Committee on Health and Human Services by January 30, 2004.

**LD 535**                      **An Act To Strengthen Health Data Information and Health Planning**                      **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TURNER DUDLEY		

LD 535 proposes to establish the State Health Planning Commission to adopt a statewide comprehensive health plan by November 1, 2003 and every 2 years thereafter and to report to the Legislature and the Department of Human Services once every 2 years. The bill proposes to require the Maine Health Data Organization to work with other organizations to evaluate health outcomes and clinical pathways. It also proposes to require the Maine Health Data Organization to collect data on total health care system utilization, costs and revenues and to release information to the public in a user-friendly manner.

**LD 553**                      **Resolve, To Study the Needs of Deaf and Hard-of-hearing Children and Adolescents**                      **RESOLVE 84**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EDMONDS SMITH W	OTP-AM	H-553 RICHARDSON J H-590 DUPLESSIE S-182

LD 553 proposed to establish the Task Force to Study the Needs of Deaf and Hard-of-hearing Children and Adolescents.

**Committee Amendment "A" (S-182)** proposed to add 6 members to the Task Force to Study the Needs of Deaf and Hard-of-hearing Children and Adolescents. It proposed to clarify the duties of the task force regarding mental health services and educational services.

**House Amendment "A" (H-590)** proposed to remove the emergency preamble and emergency clause from the resolve.

**House Amendment "A" to Committee Amendment "A" (H-553)** proposed to change who appoints the 11 public members of the task force from the Governor to the Speaker of the House and the President of the Senate,