

MAINE STATE LEGISLATURE

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*State Of Maine
121st Legislature*

*Second Regular Session and
Second Special Session*

Bill Summaries

*Joint Standing Committee
on
Health and Human Services*

May 2004

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Sen. John L. Martin
Sen. Carol Weston*

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Maine State Legislature



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

*121st Maine Legislature
Second Regular Session and
Second Special 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/billsumm.htm).

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
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 that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is April 30, 2004; and non-emergency legislation enacted in the Second Special Session is July 30, 2004. Four bills (LD's 1572, 1629, 1636 and 1637) that were considered at the First Special Session in August 2003 are also included in these summaries.

David C. Elliott, Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Health and Human Services

LD 611

An Act To Obtain Substance Abuse Services for Youth in Need of Services

PUBLIC 561

<u>Sponsor(s)</u> ROTUNDO	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-400
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LD 611 proposed to allow the Department of Behavioral and Developmental Services to provide alcohol and drug treatment services to a minor on the request of the minor's parent. It proposed to require services provided upon request of the parent to be as intensive as services provided to a minor on a voluntary basis.

Committee Amendment "A" (S-400) proposed to replace the bill. The amendment proposed to refine the definition of "youth in need of services" to include in the definition a child who is abusing alcohol or drugs and is at risk of serious harm as a result. The amendment proposed to require the Department of Human Services to include in its annual report on youth in need of services information on the number and characteristics of youth who refuse services and to share that information with the Department of Behavioral and Developmental Services, Office of Substance Abuse. The amendment proposed to require the Office of Substance Abuse to increase training for substance abuse services providers and Youth in Need of Services Program providers in methods to engage reluctant youth; to create incentives for providers to increase recruitment and retention of reluctant adolescent clients; to provide information to help providers increase services for parents of adolescent clients; to conduct outreach and education to help parents of children who are abusing drugs to locate resources; and to report by October 1, 2004 to the Joint Standing Committee on Health and Human Services.

Enacted Law Summary

Public Law 2003, chapter 561 amends the definition of "youth in need of services" to include in the definition a child who is abusing alcohol or drugs and is at risk of serious harm as a result. The law requires the Department of Human Services to include in its annual report on youth in need of services information on the number and characteristics of youth who refuse services and to share that information with the Department of Behavioral and Developmental Services, Office of Substance Abuse. The law requires the Office of Substance Abuse to increase training for substance abuse services providers and Youth in Need of Services Program providers in methods to engage reluctant youth; to create incentives for providers to increase recruitment and retention of reluctant adolescent clients; to provide information to help providers increase services for parents of adolescent clients; to conduct outreach and education to help parents of children who are abusing drugs to locate resources; and to report by October 1, 2004 to the Joint Standing Committee on Health and Human Services.

LD 616

Resolve, To Improve the Quality of Health Care

RESOLVE 118

<u>Sponsor(s)</u> PENDLETON RICHARDSON J	<u>Committee Report</u> OTP-AM MAJ ONTP MIN	<u>Amendments Adopted</u> S-427
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LD 616 proposed to impose minimum staffing requirements for nurse-to-patient staffing on all hospitals with an increase of nurses required based on the acuity of the patients. The bill proposed to direct the Department of Human Services to adopt rules, which are classified as major substantive rules, for establishing an acuity-based patient classification system in hospitals.

Joint Standing Committee on Health and Human Services

Committee Amendment "A" (S-427) was the majority report of the committee. It proposed to direct the Maine Quality Forum Advisory Council to review direct-care registered nurse staffing levels in general, acute and specialty care hospitals, the issue of minimum staffing ratios for direct-care registered nurses in hospitals and the rules of the Department of Human Services on direct-care registered nurse staffing. It proposed to direct the council to report to the joint standing committee of the Legislature having jurisdiction over health and human services matters on its review under this section and any recommendations from the council by January 15, 2005.

Enacted Law Summary

Resolve 2003, chapter 118 directs the Maine Quality Forum Advisory Council to review direct-care registered nurse staffing levels in general, acute and specialty care hospitals, the issue of minimum staffing ratios for direct-care registered nurses in hospitals and the rules of the Department of Human Services on direct-care registered nurse staffing. The council is directed to report to the joint standing committee of the Legislature having jurisdiction over health and human services matters on its review under this section and any recommendations from the council by January 15, 2005.

LD 713

An Act to Support Health Care Safety Net Programs

ONTP

Sponsor(s)
MARTIN

Committee Report
ONTP

Amendments Adopted

LD 713 proposed to provide funding for the Bureau of Health, within the Department of Human Services, to make grants to federally qualified health centers, Indian Health Service - supported centers and the Maine Primary Care Association to support health care safety net programs. The additional funding would have been offset by an increase in the cigarette tax from \$1 to \$1.05 per pack.

LD 1066

Resolve, To Establish a Committee To Examine Issues Relating to the Administration of Municipal General Assistance

RESOLVE 116

Sponsor(s)
DUDLEY
BRENNAN

Committee Report
OTP-AM

Amendments Adopted
H-738

LD 1066 proposed to increase the temporary maximum levels for municipal general assistance from a level based on fair market rents to a level based on rents adjusted by established maximum levels of assistance for food. The bill proposed to require the Department of Human Services to reimburse municipalities for the increased expenditures associated with the bill in 2004 and to adopt rules to equitably distribute the costs beginning in 2005.

Committee Amendment "A" (H-738) proposed to replace the bill and make it a resolve. The amendment proposed to require the Department of Human Services to convene a general assistance committee composed of persons interested in the administration of municipal general assistance. The amendment proposed to direct the committee to make policy recommendations regarding general assistance and to report its recommendations to the joint standing committee of the Legislature having jurisdiction over human services matters, with a progress report