

# 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.

**David C. Elliott, Director**  
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*Joint Standing Committee on Health and Human Services*

**LD 780**

**An Act To Amend the Maine Registry of Certified Nursing Assistants**

**PUBLIC 376  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ANDREWS DAGGETT	OTP-AM	H-504

LD 780 proposed to require the Maine Registry of Certified Nursing Assistants to bar an individual from working in a health care entity as a certified nursing assistant if that individual has been convicted by a court of law of, or has had a complaint substantiated by the Department of Human Services involving, abuse, neglect or misappropriating funds in a health care entity. The bill proposed to bar individuals with serious criminal convictions from being employed in a health care entity as certified nursing assistants. The bill also proposed to require training programs for nursing assistants to notify applicants about this restriction prior to acceptance into a program.

**Committee Amendment "A" (H-504)** proposed to specify the health care settings in which employment restrictions on certified nursing assistants apply. It proposed to clarify that the entity responsible for substantiating allegations of abuse or neglect is the Department of Human Services. It proposed to clarify language regarding misappropriation of property and add an emergency preamble and emergency clause to the bill.

***Enacted Law Summary***

Public Law 2003, chapter 376 specifies the health care settings in which employment restrictions on certified nursing assistants apply. It clarifies that the entity responsible for substantiating allegations of abuse or neglect is the Department of Human Services.

Public Law 2003, chapter 376 was enacted as an emergency measure effective June 2, 2003.

**LD 800**

**Resolve, To Provide Training on Autistic Behaviors to Crisis Professionals**

**ONTP**

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

LD 800 proposed to direct the Department of Behavioral and Developmental Services to provide training designed to reduce the reliance on emergency rooms, crisis intervention teams and inpatient services by children with autistic disorders or mental retardation. The department could either provide the training or contract out the training. The training would begin no later than May 1, 2003. The resolve proposed to direct the department to fund the training with funds previously appropriated for the development of short-term residential services for children with mental retardation or autism.