

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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Members:

*Sen. Michael F. Brennan, Chair
Sen. John L. Martin
Sen. Carol Weston*

*Rep. Thomas J. Kane, Chair
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Rep. Sarah O. Lewin*

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).

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 2nd 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 & 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&S XXX</i>	<i>Chapter # of enacted Private & 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
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Health and Human Services

LD 1156

Resolve, To Study the Impact of "Critical Access Facility" Designation of Maine Hospitals

ONTP

<u>Sponsor(s)</u> KANE		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1156 proposed to direct the Department of Human Services to establish a study commission within the department, with consultation by an advisory committee established by the Legislature, to report to the Legislature about the impact of "critical access facility" designation on hospital costs in the State.

LD 1197

An Act To Preserve the Role of Assisted Living

PUBLIC 449

<u>Sponsor(s)</u> MAYO KANE		<u>Committee Report</u> OTP-AM MAJ ONTP MIN		<u>Amendments Adopted</u> S-236
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LD 1197 proposed to provide a new type of licensure for the legal entities providing all assisted housing services except for the housing component in an assisted housing program. This license would be available from the Department of Human Services. This bill proposed to rewrite the standards for rules for assisted housing programs, including those that would be available under the new category of licensure.

Committee Amendment "A" (S-236) proposed to clarify that a license is not required to operate an independent housing with services program. It proposed to clarify that the rules that apply to assisted living programs do not apply to independent housing with services programs. It proposed to require that rules for assisted living programs be consistent with federal tax requirements for projects financed by low-income housing tax credits. It proposed to require the Maine State Housing Authority to apply for a private letter ruling regarding tax credit financed projects and the rules of the Department of Human Services and require a report to the joint standing committee of the Legislature having jurisdiction over health and human services matters. It proposed to require the Department of Human Services and the Maine State Housing Authority to work with interested parties on landlord-tenant responsibilities as they pertain to assisted living programs. It proposed to direct the Department of Human Services to amend the rules for independent housing with services programs to allow for copayments of 20% to 40% of the cost of services.

Enacted Law Summary

Public Law 2003, chapter 449 clarifies that a license is not required to operate an independent housing with services program. It clarifies that the rules that apply to assisted living programs do not apply to independent housing with services programs. It requires that rules for assisted living programs be consistent with federal tax requirements for projects financed by low-income housing tax credits. It requires the Maine State Housing Authority to apply for a private letter ruling regarding tax credit financed projects and the rules of the Department of Human Services and requires a report to the joint standing committee of the Legislature having jurisdiction over health and human services matters. It requires the Department of Human Services and the Maine State Housing Authority to work with interested parties on landlord-tenant responsibilities as they pertain to assisted living programs. It directs the Department of Human Services to amend the rules for independent housing with services programs to allow for copayments of 20% to 40% of the cost of services.