

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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Members:

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

*Rep. Thomas J. Kane, Chair
Rep. Edward R. Dugay
Rep. Margaret M. Craven
Rep. William M. Earle
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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
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 1685

An Act To Improve Awareness of Meningococcal Disease

PUBLIC 581

<u>Sponsor(s)</u> BRYANT PATRICK	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-418
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LD 1685 proposed to require each public or private postsecondary institution with a residential campus to provide vaccine information on meningococcal disease to each student on student health forms. The bill also proposed to require the joint standing committee of the Legislature having jurisdiction over health and human services matters to review this initiative in 2008 and to authorize the committee to report out legislation following its review.

Committee Amendment "A" (S-418) proposed to replace the bill. The amendment proposed to require each public or private postsecondary educational institution with a residential campus to provide information on meningococcal disease and the meningococcal vaccine to each newly entering student who plans to live on the residential campus. The amendment proposed to add a provision to the bill to require that the information regarding the disease and vaccine include a statement directing the student to share the information with parents or guardians. The amendment also proposed to retain the provisions of the bill that require the joint standing committee of the Legislature having jurisdiction over health and human services matters to review this initiative in 2008 and authorize the committee to report out legislation following its review.

Enacted Law Summary

Public Law 2003, chapter 581 requires each public or private postsecondary educational institution with a residential campus to provide information on meningococcal disease and the meningococcal vaccine to each newly entering student who plans to live on the residential campus. The law requires that the information regarding the disease and vaccine include a statement directing the student to share the information with parents or guardians. The law also requires the joint standing committee of the Legislature having jurisdiction over health and human services matters to review this initiative by January 30, 2008 and authorizes the committee to report out legislation following its review.

LD 1695

An Act To Ensure Compliance with Federal Medicaid Requirements

PUBLIC 613

<u>Sponsor(s)</u> DAGGETT CRAVEN	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-433
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LD 1695 proposed to clarify that for purposes of recovering overpayments to providers under the MaineCare program, overpayments do not include overestimates made as part of prospective interim payments, 3rd-party liability recovery, departmental administrative error or receivership fees or debt. The bill also proposed to clarify that if the Department of Human Services proves that records of goods or services are defective, it may impose a penalty or sanction, which may include total recoupment.

Committee Amendment "A" (S-433) proposed to replace the bill. The amendment proposed to retain the provision of the bill defining "overpayment" and add an exclusion for certain routine adjustments of \$2,500 or less.