

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

*First Regular Session and
First Special Session*

Bill Summaries

*Joint Standing Committee
on
Health and Human Services*

August 2005

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 organized by committees 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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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:

- CARRIED OVER Bill Carried Over to Second Regular Session
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
OTP ND/NT..... Committee report Ought To Pass In New Draft/New Title
P&S XXX..... Chapter # of enacted Private & Special Law
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 the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

Joint Standing Committee on Health and Human Services

LD 203 **An Act To Make Changes to the ASPIRE-TANF Program** **ONTP**

<u>Sponsor(s)</u> DUPREY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 203 proposed to require the Department of Health and Human Services to charge a copayment based on family income for child care for participants in the ASPIRE-TANF program under the Maine Revised Statutes, Title 22, chapter 1054-A.

LD 210 **An Act To Allow Patients To Keep Medications upon Discharge from a Nursing Facility or Hospital** **ONTP**

<u>Sponsor(s)</u> MARRACHE NUTTING J		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 210 proposed to provide that, when a patient or resident is discharged or moves from a hospital, nursing facility or assisted living facility licensed in this State, the patient or resident retains ownership of any medications owned while a patient or resident and may take those medications to the next place of treatment or residence.

LD 211 **An Act To Require the Disclosure by Hospitals and Ambulatory Surgical Centers of Charges to Certain Payors** **ONTP**

<u>Sponsor(s)</u> SMITH W STRIMLING		<u>Committee Report</u> ONTP MAJ OTP-AM MIN		<u>Amendments Adopted</u>
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LD 211 proposed to amend the law on disclosure of hospital and ambulatory surgical center prices for inpatient, outpatient and emergency services. The bill proposed to require disclosure to the public of amounts charged to each of the 10 most frequent payors for each service or procedure.

LD 219 **An Act To Improve the Child Welfare Ombudsman Function** **PUBLIC 410**

<u>Sponsor(s)</u> BROMLEY		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-371
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Joint Standing Committee on Health and Human Services

LD 219 proposed to provide strict confidentiality to the reports and records of the director of the ombudsman program, which provides services to children and families who are receiving child welfare services from the Department of Health and Human Services.

Enacted law summary

Public Law 2005, chapter 410 authorizes the child welfare ombudsman program to create records and case-specific reports and designates all information, records and case-specific reports as confidential and subjects disclosure to the provisions of the Maine Revised Statutes, Title 22, section 4008, subsections 2, 3 and 4.

LD 219, as amended, was reviewed and evaluated by the Joint Standing Committee on Judiciary pursuant to MRSA Title 1, §434, which requires review and evaluation of new exceptions to laws governing public records.

LD 239 **Resolve, To Develop a Partnership To Prevent, Identify and Treat Eating Disorders** **RESOLVE 33**

<u>Sponsor(s)</u> TUTTLE MAYO	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-240
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LD 239 proposed to direct the Commissioner of Health and Human Services, the Maine Hospital Association and the Superintendent of Insurance, in consultation with several hospitals throughout the State, to develop a plan to create a partnership between the State and hospitals throughout the State to identify and treat eating disorders in young women. A report on the plan would be submitted to the Second Regular Session of the 122nd Legislature.

Enacted law summary

Resolve 2005, chapter 33 directs the Department of Health and Human Services to convene an eating disorders work group and to report to the Joint Standing Committee on Health and Human Services by November 2, 2005 on inpatient and outpatient resources for preventing, identifying and treating eating disorders.

LD 246 **An Act To Remove Certain Orthodontic Procedures from MaineCare Coverage BY REQUEST** **ONTP**

<u>Sponsor(s)</u> GREELEY	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 246 proposed that beginning January 1, 2006, the MaineCare program may provide orthodontic coverage for children only as required to correct birth defects and debilitating syndromes and as required by the federal Department of Health and Human Services, Centers for Medicare and Medicaid Services. The bill proposed to direct the department to adopt implementing rules, which are designated routine technical rules.