

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

Members:

*Sen. Arthur F. Mayo III, Chair
Sen. John L. Martin
Sen. Richard W. Rosen*

*Rep. Hannah Pingree, Chair
Rep. William R. Walcott
Rep. Carol A. Grose
Rep. Richard J. Burns
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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
ONT P	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

Public Law 2005, chapter 392 requires the Department of Health and Human Services to adopt rules incorporating by reference federal laws and regulations concerning misbranded drugs and devices and prescription drug advertising. It requires drug manufacturers to provide information concerning clinical trials of prescription drugs. It requires manufacturers to pay fees that will be used to support overseeing the implementation of the new prescription drug advertising laws, including maintaining links to publicly accessible websites to which manufacturers are posting clinical trial information, assessing harm from drugs to Maine residents and undertaking a public education initiative. The law makes violations of these requirements violations of the Maine Unfair Trade Practices Act, which are subject to a fine of not more than \$10,000. It directs the Department of Health and Human Services to report by January 15, 2007 on compliance with the provisions, the completeness of and ease of public access to information provided by drug manufacturers and the need for further action or legislation to the joint standing committee of the Legislature having jurisdiction over health and human services matters.

LD 1620	Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97 - Private Non-Medical Institution Services, a Major Substantive Rule of the Department of Health and Human Services	RESOLVE 68 EMERGENCY
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP	

LD 1620 proposed to provide for legislative review of portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97 - Private Non-Medical Institution Services, a major substantive rule of the Department of Health and Human Services.

Enacted law summary

Resolve 2005, chapter 68 provides for legislative review of portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97 - Private Non-Medical Institution Services, a major substantive rule of the Department of Health and Human Services. The resolve approves the rule.

Resolve 2005, chapter 68 was finally passed as an emergency measure effective May 31, 2005.

LD 1621	Resolve, Regarding Legislative Review of Chapter 270: Uniform Reporting System for Quality Data Sets, a Major Substantive Rule of the Maine Health Data Organization	RESOLVE 69 EMERGENCY
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP	

LD 1621 proposed to provide for legislative review of Chapter 270: Uniform Reporting System for Quality Data Sets, a major substantive rule of the Maine Health Data Organization.

Enacted law summary

Joint Standing Committee on Health and Human Services

Resolve 2005, chapter 69 provides for legislative review of Chapter 270: Uniform Reporting System for Quality Data Sets, a major substantive rule of the Maine Health Data Organization. The resolve approves the rule.

Resolve 2005, chapter 69 was finally passed as an emergency measure effective May 31, 2005.

LD 1631 Resolve, Requiring the State To Reimburse Providers for Costs CARRIED OVER Incurred Due to MaineCare Reimbursement Delays

<u>Sponsor(s)</u> KAELIN WESTON	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 1631 proposed to require the Department of Health and Human Services to reimburse providers for costs, including, but not limited to, interest, bank fees and accounting fees, incurred due to MaineCare reimbursement delays.

This bill was carried over by H.P. 1203 to any special or regular session of the 122nd Legislature.

LD 1642 An Act To Further the Transition to the New Department of PUBLIC 412 Health and Human Services

<u>Sponsor(s)</u> MAYO PINGREE	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-349
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LD 1642 proposed to further the transition to the new Department of Health and Human Services as follows.

1. It proposed to eliminate from the law governing salary ranges certain now-defunct positions from the former Department of Human Services and the former Department of Behavioral and Developmental Services.
2. It proposed to establish the salaries of the Deputy Commissioner of Integrated Services and the Deputy Commissioner of Health, Integrated Access and Strategy in the Department of Health and Human Services.
3. It proposed to establish a number of positions as major policy-influencing positions within the Department of Health and Human Services.
4. It proposed to establish within the department the Health, Integrated Access and Strategy Unit; the Operations and Support Unit; the Finance Unit; and the Integrated Services Unit.
5. It proposed to direct the Commissioner of Health and Human Services to create a new budget and financial management system and reporting structure for the department.