

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
Rep. Elizabeth S. Miller
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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

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.

Joint Standing Committee on Health and Human Services

6. It proposed to specify that the units established within the department assume the functions and duties of the bureaus, divisions and offices established under the Maine Revised Statutes, Title 22 and Title 34-B and the Office of Substance Abuse established under Title 5, chapter 521. It also proposed to specify that the rules, guidelines, policies and manuals adopted or distributed by the former Department of Human Services or the former Department of Behavioral and Developmental Services continue in effect without regard to references to offices, bureaus, divisions, units or employee titles that no longer exist.

Enacted law summary

Public Law 2005, chapter 412 furthers the transition to the new Department of Health and Human Services as follows.

1. It eliminates 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 establishes 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 and lists in statute positions that serve at the pleasure of the Commissioner.
3. It establishes a number of positions as major policy-influencing positions within the Department of Health and Human Services.
4. It establishes 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 directs the Commissioner of Health and Human Services to create a new budget and financial management system and reporting structure for the department.
6. It specifies that the units established within the department assume the functions and duties of the bureaus, divisions and offices established under the Maine Revised Statutes, Title 22 and Title 34-B and the Office of Substance Abuse established under Title 5, chapter 521. It also specifies that the rules, guidelines, policies and manuals adopted or distributed by the former Department of Human Services or the former Department of Behavioral and Developmental Services continue in effect without regard to references to offices, bureaus, divisions, units or employee titles that no longer exist.
7. It adds provisions allowing the commissioner to transfer savings within personal services lines during fiscal year 2005-06 in order to fund reallocations of pay ranges to achieve pay equity, requires the commissioner to report to the Joint Standing Committee on Health and Human Services on the progress towards goals established for the merger of the former Department of Human Services and the former Department of Behavioral and Developmental Services.
8. It requires the child welfare ombudsman program, the long-term care ombudsman program and the Office of Advocacy within the Department of Health and Human Services to report to the committee by February 15, 2006 on ways to maximize their independence, effectiveness and ability to provide consumer advocacy and ombudsman services and long-term budget stability.