

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
123<sup>RD</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123<sup>rd</sup> Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON HEALTH AND HUMAN SERVICES**

July 2007

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# STATE OF MAINE

123<sup>RD</sup> LEGISLATURE

FIRST REGULAR SESSION

## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123<sup>rd</sup> Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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 (or Accepted ONTP report).....	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 non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

# Joint Standing Committee on Health and Human Services

## Enacted Law Summary

Resolve 2007, chapter 44 approves major substantive rules on reimbursing ICF-MR's. It allows adoption of rules on an emergency basis.

Resolve 2007, chapter 44 was enacted as an emergency measure effective May 30, 2007.

- LD 38**      **Resolve, Regarding Legislative Review of Portions of Chapter 250: Rules Relating to Smoking in the Workplace, a Major Substantive Rule of the Department of Health and Human Services, Maine Center for Disease Control and Prevention, Partnership for a Tobacco-free Maine**      **RESOLVE 4 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIEH	OTP	

This resolve provides for legislative review of portions of Chapter 250: Rules Relating to Smoking in the Workplace, a major substantive rule of the Department of Health and Human Services, Maine Center for Disease Control and Prevention, Partnership for a Tobacco-free Maine.

## Enacted Law Summary

Resolve 2007, chapter 4 approves major substantive rules on smoking in the workplace.

Resolve 2007, chapter 4 was enacted as an emergency measure effective March 22, 2007.

- LD 39**      **Resolve, Regarding Legislative Review of Portions of Regulations Governing the Licensing and Functioning of Intermediate Care Facilities for Persons with Mental Retardation, a Major Substantive Rule of the Department of Health and Human Services**      **RESOLVE 33 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP	

This resolve provides for legislative review of portions of Regulations Governing the Licensing and Functioning of Intermediate Care Facilities for Persons with Mental Retardation, a major substantive rule of the Department of Health and Human Services.

## Enacted Law Summary

Resolve 2007, chapter 33 approves major substantive rules on licensing ICF-MR's.

Resolve 2007, chapter 33 was enacted as an emergency measure effective May 22, 2007.

- LD 40**      **Resolve, Regarding Legislative Review of Portions of Chapter 100: Enforcement Procedures, a Major Substantive Rule of the Maine Health Data Organization**      **RESOLVE 17 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP	

## *Joint Standing Committee on Health and Human Services*

This resolve provides for legislative review of portions of Chapter 100: Enforcement Procedures, a major substantive rule of the Maine Health Data Organization.

### **Enacted Law Summary**

Resolve 2007, chapter 17 approves major substantive rules on the fines applicable to intentional or knowing misuse of MHDO data.

Resolve 2007, chapter 17 was enacted as an emergency measure effective May 14, 2007.

**LD 43      Resolve, To Direct the Department of Health and Human Services To Exclude Veterans Education Assistance from Income in Determining Eligibility for the Food Stamp Program      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COURTNEY	ONTP	

This resolve requires the Department of Health and Human Services to modify all state rules necessary to exclude educational benefits received from the United States Department of Veterans Affairs when calculating household income to determine eligibility for food stamps as allowed by the United States Farm Security and Rural Investment Act of 2002, Section 4102.

**LD 48      An Act To Exempt Training and Educational Research Costs from the Voluntary Spending Cap      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HASKELL	ONTP	

This bill removes training and educational research costs from the voluntary spending cap on the State's hospitals and other health care providers.

**LD 50      Resolve, Regarding Costly Computer Processes at the Department of Health and Human Services      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUPREY PLOWMAN	ONTP	

This resolve directs the Department of Health and Human Services to amend its computer processing procedures for the reimbursement of providers of child care for children of participants in the ASPIRE program by October 1, 2007. The department must simplify the billing procedures and provide reimbursement to a child care provider through one check per month for all children of ASPIRE participants cared for by that provider.

**LD 72      An Act To Improve MaineCare Members' Access to Information      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FARRINGTON BARTLETT	ONTP	