

# 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

**STAFF:**

JANE ORBETON, SENIOR ANALYST  
ELIZABETH F. COOPER, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670

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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

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	

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

This bill provides that the Department of Health and Human Services shall provide a printed copy of the MaineCare benefits manual to a MaineCare member free of charge at the request of that member. The department may charge the actual cost of postage to a member for a manual that is mailed.

**LD 87      Resolve, Directing the Department of Health and Human Services To Provide Printed Informational Handouts on Child Care Guidelines      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SNOWE-MELLO	ONTP	

This resolve requires the Department of Health and Human Services to provide a printed copy of the child care information that is available on the department's website, including, but not limited to, guidance for selecting a child care provider. It requires the department to identify costs associated with providing the printed information and to charge persons requesting the information a fee to cover those costs.

**LD 97      An Act Regarding Prescription Drug Expiration Dates      ONTP**

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

This bill directs the Department of Professional and Financial Regulation, Maine Board of Pharmacy to adopt routine technical rules by January 1, 2008 regarding the attachment of expiration dates to prescription drugs dispensed by pharmacists, providing protection for patients and allowing use of the drugs only to the date supported by the highest standards of pharmacology and scientific research.

**LD 137      Resolve, Requiring the Maine Center for Disease Control and Prevention To Report on Activities To Implement the Recommendations of the Task Force To Study Cervical Cancer Prevention, Detection and Education      RESOLVE 73**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARRACHE	OTP-AM	S-158

This bill requires the Legislature to provide funding to the Department of Health and Human Services, Maine Immunization Program for purchasing and distributing the human papillomavirus vaccine to all girls 11 and 12 years of age. It requires the Maine Immunization Program to report to the joint standing committee of the Legislature having jurisdiction over health and human services matters on the status of program funding and vaccination rates, including specific information on the human papillomavirus vaccine, by January 30, 2008 and again by January 30, 2010. It requires the Maine Breast and Cervical Health Program to develop and distribute public education materials on cervical cancer prevention and the human papillomavirus vaccine and to translate the materials into other languages when necessary. It requires the Maine Center for Disease Control and Prevention (CDC) to coordinate with the Department of Education and the University of Maine System to develop educational materials for schools and universities. It requires the Maine CDC to develop an educational pamphlet for 5th grade students and a voluntary speakers group for health education and other classes. It requires the Maine CDC to collaborate with the Maine Medical Association to develop and expand continuing medical education opportunities related to cervical cancer. It requires the Department of Health and Human Services to determine the potential costs and benefits of obtaining a federal Medicaid family planning waiver to