

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
FIRST REGULAR SESSION



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

JOINT STANDING COMMITTEE ON HEALTH AND HUMAN SERVICES

July 2007

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STATE OF MAINE

123RD 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 123rd 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 bill makes payment for child care benefits for a person transitioning off the ASPIRE-TANF program payable directly to the child care provider or facility that provided the child care and provides a mechanism for paying for child care services for which reimbursement is owed.

LD 306 An Act To Provide Medically Necessary Speech Therapy Services

PUBLIC 71

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLER MARRACHE	OTP-AM	H-52

This bill allows the provision of speech therapy benefits under MaineCare Basic for members who without a maintenance level of speech therapy services would experience a significant decline in their ability to communicate orally, safely swallow or masticate.

Committee Amendment "A" (H-52)

This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2007, chapter 71 allows the provision of speech therapy benefits under MaineCare Basic for members who without a maintenance level of speech therapy services would experience a significant decline in their ability to communicate orally, safely swallow or masticate.

LD 339 Resolve, To Ensure Proper Levels of Care for the Elderly and the Disabled

RESOLVE 61
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARRACHE	OTP-AM	S-117

This bill directs the Department of Health and Human Services to amend, by January 1, 2008, the rules for the licensing of long-term care facilities to prevent the inappropriate transfer of a resident to a hospital as a way of accomplishing the discharge of the resident. The rules are routine technical rules.

Committee Amendment "A" (S-117)

This amendment replaces the bill with a resolve. It establishes a process to assess and plan for the medically necessary physical, cognitive and behavioral needs of adult MaineCare members and to implement a training program in positive behavioral support health. It establishes a process for stakeholder involvement and collaboration. It requires the sharing of data, sets a timetable and requires a report to the Joint Standing Committee on Health and Human Services, which is authorized to submit legislation.

Enacted Law Summary

Resolve 2007, chapter 61 establishes a process to assess and plan for the medically necessary physical, cognitive and behavioral needs of adult MaineCare members and to implement a training program in positive behavioral support health. It establishes a process for stakeholder involvement and collaboration. It requires the sharing of data, sets a timetable and requires a report to the Joint Standing Committee on Health and Human Services, which is authorized to submit legislation.

Resolve 2007, chapter 61 was enacted as an emergency measure effective June 6, 2007.