

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

LD 995 An Act To Reduce the Expense of Health Care Treatment and Protect the Health of Maine Citizens by Providing Early Screening, Detection and Prevention of Cancer

PUBLIC 341

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARRACHE	OTP-AM	S-262

This bill makes ongoing General Fund appropriations for a comprehensive cancer program to augment the reach and success of cancer screening, detection and prevention programs in the State.

Committee Amendment "A" (S-262)

This amendment replaces the bill and provides for the implementation of the comprehensive cancer screening, detection and prevention program, as recommended by the Maine Cancer Consortium for The Maine Comprehensive Cancer Control Plan 2006-2010, contingent upon availability of funding. It establishes the Comprehensive Cancer Screening, Detection and Prevention Fund to finance or assist in funding the comprehensive cancer screening, detection and prevention program and gives the Department of Health and Human Services, Bureau of Health rule-making authority. The amendment also adds an appropriation and allocation section to the bill.

Enacted Law Summary

Public Law 2007, chapter 341 provides for the implementation of the comprehensive cancer screening, detection and prevention program recommended by the Maine Cancer Consortium for the "Maine Comprehensive Cancer Control Plan 2006-2010" contingent upon availability of funding. It establishes the Comprehensive Cancer Screening, Detection and Prevention Fund to fund or assist in funding the comprehensive cancer screening, detection and prevention program and gives the Department of Health and Human Services, Bureau of Health rule-making authority.

LD 996 An Act To Support Medical Practice Protocols in Patient Care

ONTP

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

This bill authorizes the Maine Quality Forum to develop practice protocols in any medical specialty area and permits compliance with those practice protocols to be asserted in medical malpractice actions as a presumption that the applicable standard of care has been met.

The bill also allows an insurer to decline to provide coverage for treatment that is not consistent with those practice protocols and that is not documented as a reasonable deviation from those practice protocols by a health care practitioner or a health care provider.

LD 1016 An Act Regarding Residential Care Facilities for Children

**PUBLIC 320
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN	OTP-AM MAJ ONTP MIN	S-250