

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

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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

nonprofit agencies, faith-based organizations and the general public to advise the Governor on ending poverty and providing economic security to disadvantaged citizens in the State.

LD 1118 An Act To Provide Certain Requirements for Rules Related to Rate Setting for Mental Retardation Services

**PUBLIC 237
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS P	OTP-AM	S-126

This bill requires the Department of Health and Human Services to adopt nonemergency major substantive rules for rate setting for providers of mental retardation community services. The bill requires the department, in implementing the pilot program and subsequent rate setting for all providers under the mental retardation waiver, to establish methodology that includes resource allocation plans based on uniform standards for assessing the service needs of each person receiving services, adjustments for regional housing cost variations, employee-related expenses, operation expenses and transportation costs. It requires the department to adopt nonemergency major substantive rules for implementing managed behavioral health care services.

Committee Amendment "A" (S-126)

The amendment changes the title and removes the section pertaining to a methodology for provider rate setting under the mental retardation waiver as well as the section pertaining to rulemaking for managed behavioral health care services. It retains the section that requires the rules for the standardization of rates for providers of care to persons with mental retardation under the waiver to be major substantive rules and adds an emergency preamble and clause. The amendment removes from the bill the restriction that major substantive rules adopted by the Department of Health and Human Services with regard to rate setting for providers of services to persons with mental retardation be nonemergency rules and authorizes the Department of Health and Human Services to adopt major substantive rules on an emergency basis during calendar year 2007.

Enacted Law Summary

Public Law 2007, chapter 237 requires the rules for the standardization of rates for providers of care to persons with mental retardation under the waiver to be major substantive rules. The law authorizes the Department of Health and Human Services to adopt major substantive rules on an emergency basis during calendar year 2007.

Public Law 2007, chapter 237 was enacted as an emergency measure effective June 6, 2007.

LD 1120 An Act To Amend MaineCare Benefits as Allowed by the Federal Deficit Reduction Act of 2005

ONTP

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

This bill imposes cost sharing in the form of premiums and copayments for services, items and prescription drugs in the MaineCare program consistent with the provisions of the federal Deficit Reduction Act of 2005.

LD 1130 Resolve, To Increase Fairness in Medical Payments

RESOLVE 48

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS J	OTP-AM	H-250