

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 1286

An Act To Impose Tighter Controls over Addictive Prescription Drugs

ONTP

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

This bill amends the law governing the Controlled Substances Prescription Monitoring Program to provide a mechanism for pharmacists and other dispensers of prescription drugs to delay filling a prescription for a controlled substance of a person whose pattern of use exceeds the standards of use, to dispense only part of the prescription or to refuse to dispense any of the prescription. The bill directs the Maine Board of Pharmacy and the Department of Health and Human Services, Office of Substance Abuse to adopt routine technical rules to implement the provisions of the bill.

LD 1288 An Act To Limit Recertification of Nursing Facility Residents to One Regulatory Organization

ONTP

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

This bill requires the Department of Health and Human Services to accept assessments of eligibility for nursing facility services completed for federal purposes for persons with end-stage diseases and persons who are terminally ill.

LD 1289 An Act To Provide Oversight for Crematoriums

PUBLIC 225

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HANLEY S	OTP-AM	H-276

This bill transfers licensing and regulation responsibility for crematoriums from the Department of Health and Human Services to the Department of Professional and Financial Regulation and allows a licensed funeral home to conduct cremations.

Committee Amendment "A" (H-276)

This amendment removes provisions of the bill that included "cremation" in the definitions of "funeral establishment" and "practice of funeral service." It also maintains the requirement that crematoriums be licensed by the Department of Health and Human Services and requires the payment of a licensing fee. It designates rules adopted pursuant to the law as routine technical rules. It updates the grammar in current law on crematoriums.

Enacted Law Summary

Public Law 2007, chapter 225 requires paying of a licensing fee to the Department of Health and Human Services for a crematorium license and designates the licensing rules as routine technical rules. Also it updates the grammar in the laws on licensing crematoriums.