

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
SECOND REGULAR AND FIRST SPECIAL SESSIONS



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

**JOINT STANDING COMMITTEE ON HEALTH AND HUMAN
SERVICES**

May 2008

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STATE OF MAINE
123RD LEGISLATURE
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**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 Second Regular or First Special Sessions of the 123rd Maine Legislature.

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:

<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed; bill died</i>
<i>ONTP (or Accepted ONTP report)</i>	<i>Ought Not To Pass report accepted; bill died</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

The effective date for non-emergency legislation enacted in the Second Regular Session (R2) is June 30, 2008. The effective date for non-emergency legislation enacted in the First Special Session (S1) is July 18, 2008.¹ The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills. Any bill summarized in this document having an LD number less than 1932 was a bill carried over from the First Regular Session of the 123rd Legislature.

¹ The session in which each law was enacted or finally passed (R2 or S1) is included in Appendix C.

Joint Standing Committee on Health and Human Services

This amendment removes from the resolve the demonstration program and substitutes a review by the Department of Health and Human Services and a report by January 15, 2009 to the joint standing committee of the Legislature having jurisdiction over health and human services matters. The amendment authorizes the committee to submit legislation to the First Regular Session of the 124th Legislature.

Enacted Law Summary

Resolve 2007, chapter 221 directs the Department of Health and Human Services to review and report by January 15, 2009 to the joint standing committee of the Legislature having jurisdiction over health and human services matters on the Portland Identification and Early Referral Program (PIER), a program that provides intervention to prevent new cases of psychosis and psychotic disorder. The resolve authorizes the committee to submit legislation to the First Regular Session of the 124th Legislature.

LD 1797 Resolve, To Advance Maine's HealthInfoNet Program

RESOLVE 198

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINGREE	OTP-AM	H-900

This bill appropriates \$2,000,000 to Maine's HealthInfoNet program to fund the creation of a health information exchange and to facilitate the use of electronic medical records. See also the biennial budget, Public Law 2007, chapter 240, page 27 that provides \$265,000 in Fiscal Year 2008 for Maine HealthInfo Net.

Committee Amendment "A" (H-900)

This amendment replaces the bill with a resolve. The resolve establishes a broadly representative stakeholder group to study and make recommendations regarding establishing and financing a quality improvement and technology fund.

Enacted Law Summary

Resolve 2007, chapter 198 establishes a broadly representative stakeholder group to study and make recommendations regarding establishing and financing a quality improvement and technology fund to support HealthInfoNet.

LD 1843 Resolve, To Eliminate or Reduce the Health Care Data Collection Problems Associated with Global Claims

RESOLVE 155
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARRACHE	OTP-AM	S-435

This bill requires that all commercial health insurance claims for all professional services provided by physicians who are employed by hospital systems or affiliates of hospital systems and other health care facilities be submitted on the standard federal professional paper claim form, CMS 1500, used by noninstitutional providers and suppliers. This requirement ensures that the Department of Health and Human Services, the Maine Quality Forum and the Maine Health Data Organization are able to accurately attribute particular health care services to individual physicians.

Committee Amendment "A" (S-435)

This amendment changes the bill to a resolve, changes the title and inserts an emergency preamble and emergency clause. This amendment directs representatives of health insurance carriers licensed in the State, 3rd-party administrators, hospitals licensed in the State and representatives of the Maine Association of Health Plans, the

Joint Standing Committee on Health and Human Services

Maine Hospital Association and the Maine Health Data Organization to evaluate the Maine combined bill demonstration project, as proposed by the National Uniform Billing Committee. The amendment directs the work group to report the findings of the study to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 15, 2009.

Enacted Law Summary

Resolve 2007, chapter 155 directs representatives of health insurance carriers licensed in the State, 3rd-party administrators, hospitals licensed in the State and representatives of the Maine Association of Health Plans, the Maine Hospital Association and the Maine Health Data Organization to evaluate the Maine combined bill demonstration project, as proposed by the National Uniform Billing Committee. This resolve directs the work group to report the findings of the study to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 15, 2009.

Resolve 2007, chapter 155 was enacted as an emergency measure effective March 18, 2008.

LD 1939 **Resolve, To Establish a Method for Reporting the Statistics of Diseases**

ONTP

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

This resolve directs the Department of Health and Human Services, Maine Center for Disease Control and Prevention to establish a method for reporting the numbers of diseases or illnesses acquired in hospitals in the State compared to the total percentage of patients treated in the hospitals. It also requires that the Maine Center for Disease Control and Prevention make the information available to the citizens of Maine through the center in order to help the citizens of Maine to make better consumer decisions concerning their patient health care. The Committee voted the bill ONTP and submitted a Committee bill related to this. See LD 2297.

LD 1943 **Resolve, Regarding Legislative Review of Portions of Chapter 11: Consumer Directed Personal Assistance Services, a Major Substantive Rule of the Department of Health and Human Services**

**RESOLVE 163
EMERGENCY**

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

This resolve provides for legislative review of portions of Chapter 11: Consumer Directed Personal Assistance Services, a major substantive rule of the Department of Health and Human Services.

Enacted Law Summary

This resolve approves adoption of major substantive rules regarding consumer-directed personal assistance services in the state-funded program of the Department of Health and Human Services.

Resolve 2007, chapter 163 was enacted as an emergency measure effective March 25, 2008.