

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
123<sup>RD</sup> 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 123<sup>rd</sup> Maine  
Legislature coming from the

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

May 2008

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**STATE OF MAINE**  
123<sup>RD</sup> LEGISLATURE  
SECOND REGULAR & FIRST SPECIAL SESSIONS



**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 123<sup>rd</sup> 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 &amp; 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&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; 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.<sup>1</sup> 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 123<sup>rd</sup> Legislature.

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<sup>1</sup> 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*

1. Clarifies that all of the funds in the Childhood Immunization Account must be used to implement the program;
2. Removes erroneous language in the bill regarding "provisions of the program," which is also referenced in the bill summary, where it refers to provisions concerning annual cost determinations and reporting to the Superintendent of Insurance that are not contained in the bill; and
3. Replaces the bill's appropriations and allocations section.

**LD 2286    Resolve, Implementing the Recommendations of the Commission To Study                      RESOLVE 195**  
**Primary Care Medical Practice**

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

This committee resolve requires several reports to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 15, 2009. It directs the Governor's Office of Health Policy and Finance and the Department of Health and Human Services to report on activities for implementing a multipayor patient-centered medical home pilot project and for streamlining preauthorization processes for primary care physicians who are cost-effective prescribers. It requires the Department of Health and Human Services to report on activities for implementing a single physician fee schedule for the MaineCare program. It requires the Governor's Office of Health Policy and Finance, the Maine Board of Pharmacy and the Department of Health and Human Services, Office of MaineCare Services to report on the feasibility of adopting flexible prescribed medication dispensing standards for pharmacists.

### Enacted Law Summary

Resolve 2007, chapter 195 requires several reports to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 15, 2009. It directs the Governor's Office of Health Policy and Finance and the Department of Health and Human Services to report on activities for implementing a multipayor patient-centered medical home pilot project and for streamlining preauthorization processes for primary care physicians who are cost-effective prescribers. It requires the Department of Health and Human Services to report on activities for implementing a single physician fee schedule for the MaineCare program. It requires the Governor's Office of Health Policy and Finance, the Maine Board of Pharmacy and the Department of Health and Human Services, Office of MaineCare Services to report on the feasibility of adopting flexible prescribed medication dispensing standards for pharmacists.

**LD 2287    Resolve, Regarding Legislative Review of Portions of Major Substantive                      RESOLVE 207**  
**MaineCare Benefits Manual, Chapter III, section 21; Home and                      EMERGENCY**  
**Community Benefits for Members with Mental Retardation on Autistic**  
**Disorder, a Major Substantive Rule of the Department of Health and**  
**Human Services**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-944

This resolve provides for legislative review of portions of Major Substantive MaineCare Benefits Manual, Chapter III, Section 21, Home and Community Benefits for Members with Mental Retardation or Autistic Disorder, a major substantive rule of the Department of Health and Human Services.

### Committee Amendment "A" (H-944)