

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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

MEMBERS:

SEN. JOSEPH C. BRANNIGAN, CHAIR
SEN. LISA T. MARRACHE
SEN. KEVIN L. RAYE

REP. ANNE C. PERRY, CHAIR
REP. CAROL A. GROSE
REP. ELIZABETH S. MILLER
REP. PAULETTE G. BEAUDOIN
REP. GARY A. CONNOR
REP. PATRICIA R. JONES
REP. ROBERT P. WALKER
REP. JAMES J. CAMPBELL, SR.
REP. SARAH O. LEWIN
REP. DONNA W. FINLEY
REP. DONALD G. SOCTOMAH

STAFF:

JANE ORBETON, SENIOR ANALYST
ELIZABETH COOPER, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

STATE OF MAINE
123RD 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 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 authorizes final adoption of 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, provided certain changes to the rule are made related to record keeping.

Enacted Law Summary

Resolve 2007, chapter 207 authorizes final adoption of 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, provided certain changes to the rule are made related to record keeping.

Resolve 2007, chapter 207 was enacted as an emergency measure effective April 16, 2008.

LD 2294 An Act To Modernize the Local Health Officer Statutes

PUBLIC 598

Sponsor(s)

Committee Report

Amendments Adopted

This committee bill modernizes the local health officer statutes as part of the implementation of the recommendations of the Task Force to Study Maine's Homeland Security Needs. It modernizes the role of local health officers by focusing the authorities and duties of the local health officer on preventing and suppressing communicable diseases, as well as acting as a conduit of public health-related information between residents and statewide resources. Certain functions of local health officers are transferred to the Commissioner of Health and Human Services.

Enacted Law Summary

Public Law 2007, chapter 598 modernizes the local health officer role by focusing the authorities and duties of the local health officer on preventing and suppressing communicable diseases, as well as acting as a conduit of public health-related information between residents and statewide resources. The law transfers certain functions of local health officers to the Commissioner of Health and Human Services.

LD 2295 An Act To Implement the Recommendations of the Working Group To Study the Effectiveness and Timeliness of Early Identification and Intervention for Children with Hearing Loss in Maine

PUBLIC 646

Sponsor(s)

Committee Report

Amendments Adopted

H-1019 PERRY A

This committee bill requires a birthing hospital or birthing center, upon the approval of a parent of a newborn whose hearing is screened and receives a result of "refer," to schedule the newborn for a follow-up appointment with an audiologist. That appointment must be scheduled prior to discharge, and the birthing hospital or center shall notify the newborn's primary care provider in writing of such a referral prior to discharge. The bill also requires the Department of Health and Human Services' Newborn Hearing Program to report to the joint standing committee of the Legislature having jurisdiction over health and human services matters on the results of its study of barriers to access to audiologists for the continued evaluation of hearing loss in newborns.

House Amendment "A" (H-1019)

This amendment requires birthing hospitals, birthing centers, hospitals or other medical facilities upon the approval of a parent of a newborn whose hearing is screened and receives a result of "refer," to schedule the newborn for a follow-up appointment with an audiologist and to notify the newborn's primary care provider in writing of the

Joint Standing Committee on Health and Human Services

screening result and audiologist appointment. The appointment must be scheduled and primary care provider notified prior to discharge, when possible.

Enacted Law Summary

Public Law 2007, chapter 646 requires a birthing hospital, birthing center, hospital or other medical facility upon the approval of a parent of a newborn whose hearing is screened and receives a result of "refer," to schedule the newborn for a follow-up appointment with an audiologist and to notify the newborn's primary care provider in writing of the screening result and audiologist appointment. The appointment must be scheduled and primary care provider notified prior to discharge, when possible. The law also requires the Department of Health and Human Services' Newborn Hearing Program to report to the joint standing committee of the Legislature having jurisdiction over health and human services matters on the results of its study of barriers to access to audiologists for the continued evaluation of hearing loss in newborns.

LD 2296 An Act Regarding the Statewide Homeless Council

PUBLIC 600

Sponsor(s)

Committee Report

Amendments Adopted

This bill is submitted by the Joint Standing Committee on Health and Human Services after receipt of the report from the Statewide Homeless Council pursuant to Resolve 2007, chapter 131. The bill amends the Statewide Homeless Council laws to add as members the Commissioner of Corrections and the Commissioner of Health and Human Services and to add as a duty advising the Department of Corrections and the Department of Health and Human Services. The bill directs the Department of Health and Human Services to collect from each municipality emergency contact information for use by municipal residents in applying for assistance and to forward the municipal emergency contact information periodically to the statewide 2-1-1 telephone number designated pursuant to the Maine Revised Statutes, Title 35-A, section 7108.

Enacted Law Summary

Public Law 2007, chapter 600 is submitted by the Joint Standing Committee on Health and Human Services after receipt of the report from the Statewide Homeless Council pursuant to Resolve 2007, chapter 131. The law amends the Statewide Homeless Council laws to add as members the Commissioner of Corrections and the Commissioner of Health and Human Services and to add as a duty advising the Department of Corrections and the Department of Health and Human Services. The law directs the Department of Health and Human Services to collect from each municipality emergency contact information for use by municipal residents in applying for assistance and to forward the municipal emergency contact information periodically to the statewide 2-1-1 telephone number designated pursuant to the Maine Revised Statutes, Title 35-A, section 7108.

LD 2297 An Act To Establish a Method for Reporting Health Care-associated Infection Quality Data

PUBLIC 594

Sponsor(s)

Committee Report

Amendments Adopted

This committee bill requires the Maine Quality Forum to submit an annual report to the Legislature that includes health care-associated infection quality data and to report to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 30, 2009 with any recommendations for additional health care-associated infection quality data to be collected. It requires the Maine Quality Forum and the Department of Health and Human Services, Maine Center for Disease Control and Prevention to report to the joint standing committee of the Legislature having jurisdiction over health and human services on statewide collaborative