

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
124<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the First Regular Session of the 124<sup>th</sup> Maine Legislature coming from the

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

July 2009

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# STATE OF MAINE

124<sup>TH</sup> 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 First Regular Session of the 124<sup>th</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:

CARRIED OVER.....	Carried over to a subsequent session of the Legislature
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; bill died
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted; bill died
P&S XXX.....	Chapter # of enacted Private & Special Law
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

The effective date for non-emergency legislation enacted in the First Regular Session of the 124<sup>th</sup> Legislature is September 12, 2009. 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*

This resolve requires the Department of Health and Human Services, through its office of MaineCare services, to apply for a Medicaid waiver to provide beginning April 1, 2010 MaineCare coverage for persons with physical disabilities who develop a catastrophic illness and requires a report to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 1, 2010 on the progress of the waiver application.

**LD 321**      **An Act To Impose a State Residency Requirement for Eligibility for General Assistance**      **ONTP**

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

This bill requires that a person reside in the State for at least 90 days in order to qualify for municipal general assistance.

**LD 322**      **An Act To Clarify the Prohibition on Payment for Health Care Facility Mistakes or Preventable Adverse Events**      **PUBLIC 31**

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

This bill clarifies that an employer, as defined under the Maine Workers' Compensation Act of 1992, may not be charged by a health care facility to correct a mistake or preventable adverse event caused by that health care facility.

**Enacted Law Summary**

Public Law 2009, chapter 31 clarifies that an employer, as defined under the Maine Workers' Compensation Act of 1992, may not be charged by a health care facility to correct a mistake or preventable adverse event caused by that health care facility.

**LD 337**      **An Act Regarding Emergency Involuntary Admission of a Participant in the Department of Health and Human Services' Progressive Treatment Program to a State Mental Institute**      **PUBLIC 276**

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

This bill broadens the list of persons who are authorized to petition the District Court for rehospitalization of a participant in the progressive treatment program to include 2 categories of nurses who are already authorized to certify emergency hospitalization.

**Enacted Law Summary**

Public Law 2009, chapter 276 broadens the list of persons who are authorized to petition the District Court for