

# MAINE STATE LEGISLATURE

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



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

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

April 2010

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# STATE OF MAINE

124<sup>TH</sup> LEGISLATURE  
SECOND 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 Second 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:

<i>CARRIED OVER</i> .....	<i>Carried over to a subsequent session of the Legislature</i>
<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 HOUSES</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 of the 124<sup>th</sup> Legislature is Monday, July 12, 2010. 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 233 An Act To Include Independent Practice Dental Hygienists in  
MaineCare**

**DIED ON  
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JONES SULLIVAN	OTP-AM	H-647

This bill was carried over from the First Regular Session pursuant to Joint Order, H.P. 1053.

This bill provides for reimbursement under the MaineCare program to directly reimburse dental hygienists practicing independently as authorized under the Maine Revised Statutes, Title 32, section 1094-I for all procedures performed under Title 32, section 1094-Q, subsection 1. The bill directs the Department of Health and Human Services to adopt rules to implement this provision, and designates the rules as routine technical rules.

### **Committee Amendment "B" (H-647)**

This amendment allows federally qualified health centers to employ independent practice dental hygienists as core providers under MaineCare rules and provides for the reimbursement of federally qualified health centers for these services. The amendment also adds an appropriations and allocations section.

**LD 624 Resolve, To Study Expenditures for Oral Health Care in the MaineCare  
Program**

**RESOLVE 146**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STRANG BURGESS BRANNIGAN	OTP-AM	H-590

This bill was carried over from the First Regular Session pursuant to Joint Order, H.P. 1053.

This resolve would increase MaineCare dental reimbursement rates in accordance with recommendation #1 of the 2008 Governor's Task Force on Expanding Access to Oral Health Care for Maine People.

### **Committee Amendment "B" (H-590)**

This amendment replaces the resolve. It directs the Department of Health and Human Services to convene a working group to perform a study of oral health care in the MaineCare program. The study is directed to review MaineCare dental coverage, reimbursement and utilization and must identify ways to reduce or redirect expenditures with the goal of providing more cost-effective, high-quality care for MaineCare members. The working group is directed to report to the joint standing committee of the Legislature having jurisdiction over health and human services matters during the First Regular Session of the 125th Legislature. The joint standing committee of the Legislature having jurisdiction over health and human services matters is authorized to report out a bill related to the subject of the report to the First Regular Session of the 125th Legislature.

### **Enacted Law Summary**

Resolve 2009, chapter 146 directs the Department of Health and Human Services to convene a working group to perform a study of oral health care in the MaineCare program. The working group is directed to review

## *Joint Standing Committee on Health and Human Services*

MaineCare dental coverage, reimbursement and utilization and must identify ways to reduce or redirect expenditures with the goal of providing more cost-effective, high-quality care for MaineCare members. The working group is directed to report to the joint standing committee of the Legislature having jurisdiction over health and human services matters during the First Regular Session of the 125th Legislature. The joint standing committee of the Legislature having jurisdiction over health and human services matters is authorized to report out a bill related to the subject of the report to the First Regular Session of the 125th Legislature.

**LD 637      An Act To Ensure Services for Adults with Developmental Disabilities**

**ONTP**

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

This bill was carried over from the First Regular Session pursuant to Joint Order, H.P. 1053.

This bill requires the Department of Health and Human Services to provide health coverage under the MaineCare program for an adult with mental retardation or autism who is incapacitated and financially eligible for MaineCare.

**LD 701      An Act To Fund the Screening and Early Detection Elements of the  
Statewide Cancer Plan**

**DIED BETWEEN  
HOUSES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STRANG BURGESS MARRACHE	OTP-AM MAJ ONTP MIN	

This bill was carried over from the First Regular Session pursuant to Joint Order, H.P. 1053.

This bill provides funding for a portion of the comprehensive cancer screening, detection and prevention program by providing an ongoing appropriation from the Fund for a Healthy Maine.

**LD 757      An Act To Improve the Transparency of Certain Hospitals**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOODE PERRY J	ONTP	

This bill was carried over from the First Regular Session pursuant to Joint Order, H.P. 1053.

This bill makes medical organizations that receive over \$250,000 annually in public funds for medical services subject to the freedom of access laws.