

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
FIRST REGULAR SESSION



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

JOINT STANDING COMMITTEE ON HEALTH AND HUMAN SERVICES

July 2009

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STATE OF MAINE

124TH 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 124th 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 124th 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

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

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STRANG BURGESS MARRACHE		H-250

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.

This bill was carried over by Joint Order, H.P. 1053 to any special or regular session of the 124th Legislature due to action of the Joint Standing Committee on Appropriations and Financial Affairs.

Committee Amendment "A" (H-250)

This amendment changes the name of the account in the appropriations and allocations section of the bill. The amount proposed for appropriations remains the same as the original bill.

LD 721 **Resolve, Directing the Department of Health and Human Services To Raise Public Awareness of Reflex Sympathetic Dystrophy Syndrome** **ONTP**

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

This resolve directs the Department of Health and Human Services to establish, promote and maintain a reflex sympathetic dystrophy syndrome education initiative to raise public awareness of, and educate consumers, health professionals, teachers and human services providers about, the causes and nature of this syndrome, personal risk factors, the value of early detection and prompt treatment and options for diagnosing and treating the disease. The department is to consult with the State of Delaware and the Commonwealth of Pennsylvania, both of which have instituted this sort of initiative.

The Joint Standing Committee on Health and Human Services requests by letter that the Director of Maine Center for Disease Control and Prevention in the Department of Health and Human Services create awareness of Reflex Sympathetic Dystrophy Syndrome through articles in newsletters to nurse practitioners, physicians and other health care practitioners.

LD 724 **Resolve, To Create a Working Group To Provide Transparency Concerning Operating Expenses for Hospitals** **RESOLVE 66**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARRACHE	OTP-AM	S-149

This bill requires hospitals to report annually to the Department of Health and Human Services a detailed description of their annual operating budgets and requires the department to report all information gathered to the joint standing

Joint Standing Committee on Health and Human Services

committee of the Legislature having jurisdiction over health matters.

Committee Amendment "A" (S-149)

This amendment changes the bill to a resolve and changes the title. It directs the Maine Health Data Organization and the Governors Office of Health Policy and Finance to convene a working group, including representatives of the Maine Hospital Association, the Maine Health Data Organization and the Governors Office of Health Policy and Finance and other stakeholders, to examine and make recommendations for hospital data reporting that will provide transparency concerning operating expenses, including, but not limited to, annual operating budgets and other financial information. The resolve requires the Maine Health Data Organization and the Governors Office of Health Policy and Finance to submit a report to the Joint Standing Committee on Health and Human Services by January 1, 2010. It authorizes the Joint Standing Committee on Health and Human Services to submit legislation to the Second Regular Session of the 124th Legislature.

Enacted Law Summary

Resolve 2009, chapter 66 directs the Maine Health Data Organization and the Governor's Office of Health Policy and Finance to convene a working group to examine and make recommendations for hospital data reporting that will provide transparency concerning operating expenses, including, but not limited to, annual operating budgets and other financial information. The resolve requires the Maine Health Data Organization and the Governor's Office of Health Policy and Finance to submit a report to the Joint Standing Committee on Health and Human Services by January 1, 2010. It authorizes the Joint Standing Committee on Health and Human Services to submit legislation to the Second Regular Session of the 124th Legislature.

LD 738	An Act To Require Patients of Opioid Treatment Programs To Release Medical Information to a Designated Primary Care Physician	ONTP
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS P	ONTP	

This bill prohibits a person from participating in an opioid treatment program unless the person signs a release authorizing the program to provide monthly clinical information to a primary care provider licensed to practice in the State who is responsible for the person's general health care. It requires opioid treatment programs to report clinical information to each participant's primary care provider once a month. It requires the Department of Health and Human Services, Office of Substance Abuse to adopt routine technical rules.

LD 752	Resolve, To Require the Department of Health and Human Services To Request a Waiver To Prohibit the Use of Food Stamps for the Purchase of Soft Drinks	ONTP
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PENDLETON TRAHAN	ONTP	

This resolve requires the Department of Health and Human Services to request a waiver from the United States Department of Agriculture to allow the State to prohibit the use of benefits under the Supplemental Nutrition Assistance Program, previously referred to as "the Food Stamp Program," for the purchase of soft drinks and, upon receipt of the waiver, to prohibit such use.