

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 electronic originals
(may include minor formatting differences from printed original)

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

MEMBERS:

SEN. JOSEPH C. BRANNIGAN, CHAIR
SEN. LISA T. MARRACHÉ
SEN. PETER MILLS

REP. ANNE C. PERRY, CHAIR
REP. PATRICIA JONES
REP. MARK EVES

REP. MATTHEW J. PETERSON
REP. LINDA F. SANBORN
REP. PETER C. STUCKEY

REP. SARAH O. LEWIN
REP. JAMES J. CAMPBELL, SR.
REP. HENRY L. JOY

REP. MEREDITH N. STRANG BURGESS
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

124TH LEGISLATURE
FIRST 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 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:

<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 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 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

on Criminal Justice and Public Safety 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 881 *Resolve, To Ensure the Health of Maine Children by Requiring a Certain Vaccination*

ONTP

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

This resolve requires the Department of Health and Human Services, Maine Center for Disease Control to amend its rules governing immunizations of school children to require vaccinations against meningococcal meningitis for students who are 11 years of age or older, beginning with the 2010-2011 school year.

The Joint Standing Committee on Health and Human Services requests by letter that the Maine Center for Disease Control and Prevention to convene a stakeholders group on childhood immunizations and report to the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Education and Cultural Affairs by January 15, 2010. The letter requests that the report include findings and recommendations on: 1) other states' school mandated vaccines and criteria used for determining for mandates; 2) criteria agreed upon for use in Maine to determine which vaccines should be mandated for school attendance; 3) application of the criteria to all the childhood vaccines recommended by Advisory Committee on Immunization Practice; 4) recommendations (if any) for any additions to Maine's mandated vaccines for school attendance; 5) strategies to improve vaccination rates among school children; 6) a review of implementation strategies in Maine and other states for controlling disease outbreak in schools when unvaccinated children are enrolled and 7) a review of exemptions to school mandated vaccines in Maine and other states, how these are communicated to schools and parents and suggestions for any changes. The items covered in the letter address concerns raised in this bill and LD 424 as well as issues raised during deliberations of the Joint Standing Committee on Education and Cultural Affairs on LD 735.

LD 916 *An Act Regarding Trans Fat*

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WEBSTER MILLS P	ONTP	

This bill defines "food containing artificial trans fat" and prohibits the storage, distribution or use of these foods in an eating establishment. It requires the owner or manager of an eating establishment to maintain labels or provide documentation to facilitate enforcement of the prohibition.

LD 939 *An Act To Amend the Laws Governing Assisted Living Programs*

ONTP

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

Joint Standing Committee on Health and Human Services

This bill amends the laws governing assisted living programs to permit The Atrium, a nonprofit charitable housing program affiliated with The Cedars senior living community in Portland, Maine, to be licensed as an assisted living program and authorized to provide physical therapy, nursing services and medication management services to its residents.

**LD 940 An Act To Estimate the Financial Costs to Providers in Implementing
MaineCare Rules** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLER ROSEN R	ONTP	

This bill requires that, when adopting, amending or repealing a rule pursuant to the administration of the MaineCare program, the Department of Health and Human Services shall provide an estimate to providers of services of anticipated costs that may reasonably result from the adoption, amendment or repeal of that rule.

The Health and Human Services Committee requested from the Department of Health and Human Services a report by January 15, 2010 on the issue of provider costs when MaineCare rules are adopted or amended.

LD 941 Resolve, To Assist Families with Substance Abuse Issues **ONTP**

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

This resolve requires the Department of Health and Human Services, Office of Substance Abuse to develop a plan and recommendations, including any necessary legislation, for a parent-initiated process of involuntary treatment for adults with addiction and substance abuse treatment needs. It requires the office to submit the plan and legislation to the Joint Standing Committee on Health and Human Services by January 1, 2010 and authorizes the joint standing committee to submit a bill to the Second Regular Session of the 124th Legislature.

**LD 960 Resolve, Requiring Rulemaking by the Maine Health Data Organization
in Consultation with the Maine Quality Forum Regarding Clostridium
Difficile and Methicillin-resistant Staphylococcus Aureus** **RESOLVE 82**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANBORN BRANNIGAN	OTP-AM	H-280

This resolve directs the Maine Quality Forum to adopt routine technical rules to establish procedures for reporting the rate of Clostridium difficile infection and methicillin-resistant Staphylococcus aureus, MRSA, infection in hospitals. The Maine Quality Forum shall report its findings to the Maine Health Data Organization.

Committee Amendment "A" (H-280)