

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
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:

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

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)

Joint Standing Committee on Health and Human Services

This amendment replaces the resolve and directs the Maine Health Data Organization in consultation with the Maine Quality Forum to adopt rules to require that each hospital publicly report on the adoption of a methicillin-resistant Staphylococcus aureus and Clostridium difficile prevention program and the number of patients at high risk for methicillin-resistant Staphylococcus aureus surveilled in the hospital's targeted surveillance of high-risk populations. It requires the Maine Quality Forum, with input from stakeholders, to design metrics for assessing these reporting functions and to establish performance measures, which must be posted on the Maine Quality Forum's website and included in its annual report to the Legislature.

Enacted Law Summary

Resolve 2009, chapter 82 directs the Maine Health Data Organization in consultation with the Maine Quality Forum to adopt rules to require that each hospital publicly report on the adoption of a methicillin-resistant Staphylococcus aureus and Clostridium difficile prevention program and the number of patients at high risk for methicillin-resistant Staphylococcus aureus surveilled in the hospital's targeted surveillance of high-risk populations. It requires the Maine Quality Forum, with input from stakeholders, to design metrics for assessing these reporting functions and to establish performance measures, which must be posted on the Maine Quality Forum's website and included in its annual report to the Legislature.

LD 969 An Act To Amend the Laws Governing the Maine Children's Growth Council

**PUBLIC 392
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY PERRY J	OTP-AM	H-159 S-318 BARTLETT

This bill strikes the provision in the laws that repeals the chapter governing the Maine Children's Growth Council on October 1, 2009. This bill also amends the membership of the council to add as a member the director of the Head Start collaboration project and up to seven additional public members appointed by the Governor.

Committee Amendment "A" (H-159)

This amendment incorporates a fiscal note.

Senate Amendment "A" (S-318)

This amendment allows expenses and per diem reimbursement for Legislators on the Maine Children's Growth Council to be funded for fiscal year 2009-10 but prohibits funding in fiscal year 2010-11 unless such funding is authorized by the Legislative Council.

Enacted Law Summary

Public Law 2009, chapter 392 strikes the provision in the laws that repeals the chapter governing the Maine Children's Growth Council on October 1, 2009. It also adds to the membership of the council the director of the Head Start collaboration project and up to seven additional public members appointed by the Governor. The law allows expenses and per diem reimbursement for Legislators on the Maine Children's Growth Council to be funded for fiscal year 2009-10 but prohibits funding in fiscal year 2010-11 unless such funding is authorized by the Legislative Council.

Public Law 2009, chapter 392 was enacted as an emergency measure effective June 15, 2009.