

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 1086 Resolve, Directing the Department of Health and Human Services To Implement an Oral Health Capitated Care System for Children Covered by MaineCare and the Children's Health Insurance Program **ONTP**

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

This resolve directs the Department of Health and Human Services to establish and implement a 4-tiered capitated oral care system for children covered by MaineCare and SCHIP based on assigning each child's initial needs into one of 4 levels of care: diagnostic, preventive and disease management services; basic restorative care; advanced restorative care; and catastrophic care.

LD 1113 An Act To Exempt Private Nonmedical Institutions from the Service Provider Tax **ONTP**

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

This bill repeals the service provider tax on private nonmedical institution services. The bill also makes a technical correction of an oversight from Public Law 2007, chapter 539.

LD 1115 Resolve, To Establish the Task Force on Kinship Families **RESOLVE 136
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAIN ROSEN R	OTP-AM	H-147 S-320 BARTLETT

This resolve establishes a task force to study issues concerning kinship families, which are families who are caring for a relatives child. The task force shall examine the issues facing kinship families and how state policies and practices can be crafted to meet their special needs. In examining this issue, the task force shall identify existing resources within the State for kinship families, determine the needs of kinship families and gaps in services, review legal and custody issues and concerns for kinship families and create strategies for sustaining and maintaining resources for kinship families. The task force will report its findings and suggested legislation to the Joint Standing Committee on Health and Human Services, which is authorized to report out a bill on the suggestions.

Committee Amendment "A" (H-147)

This amendment incorporates a fiscal note.

Senate Amendment "A" (S-320)

This amendment requires the task force to obtain outside funding to fund all costs associated with the task force.

Joint Standing Committee on Health and Human Services

Outside funding must be approved by the Legislative Council and is to be administered by the Executive Director of the Legislative Council. This amendment also adds an appropriations and allocations section.

Enacted Law Summary

Resolve 2009, chapter 136 establishes a task force to study issues concerning kinship families, which are families who are caring for a relative's child. The task force shall examine the issues facing kinship families and how state policies and practices can be crafted to meet their special needs. In examining this issue, the task force shall identify existing resources within the State for kinship families, determine the needs of kinship families and gaps in services, review legal and custody issues and concerns for kinship families and create strategies for sustaining and maintaining resources for kinship families. The resolve requires the task force to obtain outside funding to fund all costs associated with the task force. The resolve requires that the outside funding be approved by the Legislative Council and be administered by the Executive Director of the Legislative Council. The task force will report its findings and suggested legislation to the Joint Standing Committee on Health and Human Services, which is authorized to report out a bill.

Resolve 2009, chapter 136 was finally passed as an emergency measure effective June 17, 2009.

LD 1116 An Act To Ensure Health Care Practitioners Understand and Screen for Domestic Abuse for Pregnant Women and New Mothers ONTP

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

This bill requires the Department of Health and Human Services, the Board of Licensure in Medicine, the Board of Osteopathic Licensure and the State Board of Nursing to develop policies and procedures and adopt any rules necessary to mandate the screening by health care practitioners of pregnant women and new mothers for domestic abuse. This bill requires that the practitioners educate these patients about domestic abuse services as well as attend training on domestic abuse, approved by the department and the Department of the Attorney General. The bill requires health care practitioners during a specific time segment designated for the purpose in each patient visit and in a private setting to assess the patient's risk of domestic abuse and to discuss concerns about domestic violence. The bill specifies the use of a nationally recognized domestic abuse risk and lethality assessment tool and requires the assessment to be part of regular hospital care for new mothers immediately following a birth and must include a specific time for the new mother to discuss any concerns about domestic abuse with a health care practitioner in a private setting. The bill requires practitioners to provide specific information about domestic abuse services available and to monitor each patient closely for signs and symptoms of abuse. It requires the practitioners to report the number and frequency of assessments and results of the assessments, absent the names of the parties, to the department. It requires the department to track the results statewide.

LD 1117 An Act To Create a Statewide Breast-feeding Resource System at Women, Infants and Children Offices ONTP

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

This bill requires Women, Infants and Children, WIC, offices in Maine to provide written materials on breast-feeding, provide counseling on breast-feeding and provide breast pumps to any woman upon request,