

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

regardless of whether the woman is participating in the program.

**LD 1122 Resolve, Regarding Legislative Review of Portions of Chapter 101:
Establishment of the Capital Investment Fund, a Major Substantive
Rule of the Governor's Office of Health Policy and Finance**

**RESOLVE 83
EMERGENCY**

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

This resolve provides for legislative review of portions of Chapter 101: Establishment of the Capital Investment Fund, a major substantive rule of the Governor's Office of Health Policy and Finance.

Enacted Law Summary

Resolve 2009, chapter 83 provides for authorization of portions of Chapter 101: Establishment of the Capital Investment Fund, a major substantive rule of the Governor's Office of Health Policy and Finance. Chapter 101 establishes the process to be used in the determination of the amount of the Capital Investment Fund (CIF), which is a limit on what hospitals and other health care providers may spend on capital investment. This rule specifies the manner in which a value for the CIF will be calculated, how that amount will be allocated between hospital and non-hospital projects, as well as large and small projects subject to review under Maine's Certificate of Need Act and rules. This rule changes the effective CIF period from one year to three years. There will be a single year transition CIF in 2009, followed by a three-year CIF determined once every three years thereafter. This rule also revises debiting rules and the formula used to calculate the CIF.

Resolve 2009, chapter 83 was enacted as an emergency measure effective June 2, 2009.

LD 1127 An Act To Define Services for Maine Runaway and Homeless Youth

PUBLIC 155

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND	OTP	

This bill repeals the youth in need of services program in the Maine Revised Statutes, Title 22, chapter 1071, subchapter 15 and establishes a comprehensive program for homeless youth and runaways. The bill requires the Department of Health and Human Services to implement the comprehensive program through performance-based contracts with organizations and agencies licensed by the department that provide street and community outreach, drop-in programs, emergency shelter and transitional living services. The bill specifies the type of services the program should provide and requires the department to collect data from its licensed organizations and agencies for quality assurance purposes and to monitor the success of the program as well as changes in the rates of homelessness among Maine's youth. The department is authorized to adopt routine technical rules as may be necessary for the effective administration of the program.

Enacted Law Summary

Public Law 155 repeals the youth in need of services program in the Maine Revised Statutes, Title 22, chapter 1071, subchapter 15 and establishes a comprehensive program for homeless youth and runaways. It requires the Department of Health and Human Services to implement the comprehensive program through performance-based contracts with organizations and agencies licensed by the department that provide street and community outreach,

Joint Standing Committee on Health and Human Services

drop-in programs, emergency shelter and transitional living services. It specifies the type of services the program should provide and requires the department to collect data from its licensed organizations and agencies for quality assurance purposes and to monitor the success of the program as well as changes in the rates of homelessness among Maine's youth. The department is authorized to adopt routine technical rules as may be necessary for the effective administration of the program.

LD 1142 Resolve, To Ensure Access to Speech and Hearing Services

ONTP

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

This resolve directs the Department of Health and Human Services to increase by rule the rates of reimbursement under the MaineCare program set in 1999 for speech and hearing services provided through speech and hearing agencies by the increase since 1999 in the federal Consumer Price Index. The new reimbursement rates must comply with federal Medicaid requirements for billing codes, must result in an increase over reimbursement rates paid in 2008 and may not result in decreased reimbursement rates for any speech and hearing agency services. The new rules are designated as routine technical rules. The resolve also requires the Department of Education to maximize private insurance reimbursement to the Child Development Services System and the Department of Health and Human Services to maximize private insurance reimbursement for MaineCare services and directs savings to the speech and hearing agency reimbursement increase.

The resolve includes an appropriations and allocations section that appropriates funds to increase reimbursement rates for speech and hearing services and deappropriates funds by increasing 3rd-party liability collections from MaineCare members and from enhanced private insurance reimbursements to the Child Development Services System.

See LD 353, Public Law 2009, chapter 213, in MaineCare - MAP account for general fund appropriation of \$100,000 in FY10 and \$102,500 in FY11 to increase reimbursement to speech and hearing centers and corresponding increases in child development services funding in the Department of Education.

LD 1153 An Act To Require the Department of Health and Human Services To Procure an Equal Supply of Vaccine from Each Manufacturer of That Vaccine under Certain Circumstances

ONTP

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

This bill requires the Department of Health and Human Services to procure an equal supply of vaccine from each manufacturer of that vaccine if two or more manufacturers produce equivalent vaccines and the cost to the department of providing each equivalent vaccine is not more than 110 percent of the lowest-priced equivalent vaccine.

The Health and Human Services Committee requested a report from the Department of Health and Human Services on this issue by January 15, 2010.