

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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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.

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Regulation, Bureau of Insurance before entering into any contracts for pharmacy benefits management in the State. The bill also sets forth standards for audits conducted by pharmacy benefits managers. The bill requires the State Auditor to develop audit procedures to ensure state agencies that have pharmacy benefits management contracts are compliant with state law relating to pharmacy benefits management and prescription drug rebates. The bill also expands the privacy provisions applicable to pharmacy benefits managers to ensure that patient prescription information, even deidentified information, is not used directly by the pharmacy benefits manager or sold by or transferred to others for use in pharmaceutical marketing or by insurance companies in making benefits decisions.

This bill was carried over to any special or regular session of the 124th Legislature by Joint Order, H.P. 1053.

LD 1363

An Act To Establish and Promote Statewide Collaboration and Coordination in Public Health Activities and To Enact a Universal Wellness Initiative

PUBLIC 355

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLER ROSEN R	OTP-AM	H-407 H-436 PERRY A

This bill coordinates and streamlines the public health system in this State. It prepares the state public health system for national federally recognized public health accreditation and ensures the effective, efficient and evidence-based delivery of essential public health services. The bill recognizes and formally establishes Healthy Maine Partnerships, district coordinating councils for public health and the Statewide Coordinating Council for Public Health.

The bill also establishes a universal wellness initiative using the existing resources of the public health infrastructure. The initiative requires the development and distribution of a resource toolkit for the uninsured and a health risk assessment for all people of the State with a focus on the uninsured and those facing health disparities. It also requires the Department of Health and Human Services, Maine Center for Disease Control and Prevention to issue an annual report card on health for each public health district in the State and for the state health plan to publish the report cards.

Committee Amendment "A" (H-407)

This amendment provides a definition for "municipal health department" and provides for accreditation of municipal health departments. It adds a provision that allows municipal health departments to enter into data-sharing agreements with the Department of Health and Human Services if the agreement protects the confidentiality and security of individually identifiable health information.

House Amendment "A" (H-436)

This amendment removes from the membership of the Statewide Coordinating Council for Public Health the 4 appointed Legislators.

Enacted Law Summary

Public Law 2009, chapter 355 coordinates and streamlines the public health system in this State. It prepares the state public health system for national federally recognized public health accreditation and ensures the effective, efficient and evidence-based delivery of essential public health services. The law recognizes and formally

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establishes Healthy Maine Partnerships, district coordinating councils for public health and the Statewide Coordinating Council for Public Health.

The law also establishes a universal wellness initiative using the existing resources of the public health infrastructure. The law requires the development and distribution of a resource toolkit for the uninsured and a health risk assessment for all people of the State with a focus on the uninsured and those facing health disparities. It also requires the Department of Health and Human Services, Maine Center for Disease Control and Prevention to issue an annual report card on health for each public health district in the State and for the state health plan to publish the report cards. The law allows municipal health departments to enter into data-sharing agreements with the Department of Health and Human Services if the agreement protects the confidentiality and security of individually identifiable health information.

**LD 1364 An Act To Stimulate the Economy by Expanding Opportunities for
Personal Assistance Workers**

Carried Over

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

This bill establishes the reimbursement by the Department of Health and Human Services for personal assistance services through standardized rates, beginning October 1, 2009, that apply to all providers and workers in programs, institutional settings, in-home services and community support services.

This bill was carried over by Joint Order, H.P. 1053 to any special or regular session of the 124th Legislature in order to allow the Department of Health and Human Services to conduct a thorough analysis that considers the potential economic benefit of increasing the wages of direct care workers as well as the cost of turnover, training requirements, federal dollars leveraged, and costs to the state. The department will present the result to the Joint Standing Committee on Health and Human Services during the next legislative session.

LD 1375 An Act Regarding the Formula for the General Assistance Program

ONTP

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

This bill requires the Department of Health and Human Services to reimburse a municipality 90 percent of the municipality's general assistance costs if the unemployment rate of the municipality for the previous three months exceeds the average of the statewide unemployment rate for the comparable calendar quarters for the previous five years. This bill also requires the department to pay a statutorily increased reimbursement of general assistance costs for certain economic conditions as long as those conditions exist.

The Joint Standing Committee on Health and Human Services requests by letter that the Department of Health and Human Services review the general assistance program, the concepts presented in LD 1303 and LD 1375, and amount of funding needed to adequately fund the general assistance needs of the State. The letter asks the department to make recommendations to the Joint Standing Committee on Health and Human Services by February 15, 2010.