

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the Second Regular Session of the 124th Maine Legislature coming from the

JOINT STANDING COMMITTEE ON HEALTH AND HUMAN SERVICES

April 2010

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STATE OF MAINE

124TH LEGISLATURE
SECOND 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 Second 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 HOUSES</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 Second Regular Session of the 124th Legislature is Monday, July 12, 2010. 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 1780 **Resolve, Regarding Legislative Review of Portions of Chapter 270:
Uniform Reporting System for Quality Data Sets, a Major Substantive
Rule of the Maine Health Data Organization**

**RESOLVE 193
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-770

This resolve provides for legislative review of portions of Chapter 270: Uniform Reporting System for Quality Data Sets, a major substantive rule of the Maine Health Data Organization.

Committee Amendment "A" (H-770)

This amendment states that the Legislature approves the major substantive rule on health care-associated infection quality data set filing if the rule is amended to require reporting of the results of a hospital's active surveillance culturing of high-risk patients for methicillin-resistant *Staphylococcus aureus* and to clarify that the Maine Quality Forum must within 90 days of adoption of the rule establish a schedule for periodic prevalence studies.

Enacted Law Summary

Resolve 2009, chapter 193 approves portions of Chapter 270: Uniform Reporting System for Quality Data Sets, a major substantive rule of the Maine Health Data Organization. The resolve requires that the rule be amended to require reporting of the results of a hospital's active surveillance culturing of high-risk patients for methicillin-resistant *Staphylococcus aureus* and to clarify that the Maine Quality Forum must within 90 days of adoption of the rule establish a schedule for periodic prevalence studies.

Resolve 2009, chapter 193 was finally passed as an emergency measure effective April 1, 2010.

LD 1781 **An Act To Allow Electronic Filing of Vital Records and Closing of
Records To Guard against Fraud and Make Other Changes to the Vital
Records Laws**

PUBLIC 601

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERRY A	OTP-AM	H-783

This bill changes the name of the Department of Health and Human Services, Office of Health Data and Program Management to the Office of Data, Research and Vital Statistics. This bill enables the Office of Data, Research and Vital Statistics to establish a system for the electronic filing of death certificates. This bill acknowledges the change in name of the Veterans Administration Center at Togus to the United States Department of Veterans Affairs at Togus. This bill shortens the time period in which a vital record may be corrected or completed from one year to 90 days. This bill closes vital records from public procurement to guard against fraud. This bill enables the State Registrar of Vital Statistics to appoint subregistrars. This bill allows a disposition of human remains permit to be issued for a fetus regardless of gestational age. This bill enables the State Registrar of Vital Statistics to change the design of forms for adult adoptee access to records without using the rule-making process. This bill authorizes the Chief Medical Examiner within the Department of the Attorney General to designate individuals to execute supplemental certificates of death as regards time, date, place and circumstances of death, while reserving to the medical examiner responsibility for determining the cause and manner of death in medical examiner cases. This bill

Joint Standing Committee on Health and Human Services

updates the penalty section in the laws governing vital statistics to be compliant with current statutes.

Committee Amendment "A" (H-783)

This amendment adds a provision to the bill to allow inspection of vital records by and issuance of noncertified copies of vital records to persons doing genealogical research who hold researcher identification cards. It directs the Department of Health and Human Services to adopt routine technical rules to implement the provision. The amendment also adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2009, chapter 601 changes the name of the Department of Health and Human Services, Office of Health Data and Program Management to the Office of Data, Research and Vital Statistics. The law enables the Office of Data, Research and Vital Statistics to establish a system for the electronic filing of death certificates. The law acknowledges the change in name of the Veterans Administration Center at Togus to the United States Department of Veterans Affairs at Togus. The law shortens the time period in which a vital record may be corrected or completed from one year to 90 days. The law enables the State Registrar of Vital Statistics to appoint subregistrars. The law allows a disposition of human remains permit to be issued for a fetus regardless of gestational age. The law enables the State Registrar of Vital Statistics to change the design of forms for adult adoptee access to records without using the rule-making process. The law authorizes the Chief Medical Examiner within the Department of the Attorney General to designate individuals to execute supplemental certificates of death as regards time, date, place and circumstances of death, while reserving to the medical examiner responsibility for determining the cause and manner of death in medical examiner cases. The law updates the penalty section in the laws governing vital statistics to be compliant with current statutes. The law allows inspection of vital records by and issuance of noncertified copies of vital records to persons doing genealogical research who hold researcher identification cards. The law directs the Department of Health and Human Services to adopt routine technical rules to implement the law.

LD 1798 An Act To Authorize a General Fund Bond Issue To Create Access to Dental Care throughout the State

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CONNOR COURTNEY	OTP-AM MAJ ONTP MIN	

This resolve proposes bonding for dental and oral health purposes. The funds provided by the bond issue in Part A, in the amount of \$7,000,000, will be awarded on a competitive basis, \$5,000,000 to be used for a community-based teaching clinic affiliated with or operated by a college of dental medicine and \$2,000,000 to be used to upgrade community-based health care clinics across the State to increase their capacity. Part B establishes a regular monitoring requirement regarding grant recipients. Part C establishes a committee to award the funds. Part D makes Part B and Part C contingent on passage of the General Fund bond issue. This resolve did not pass. But see LD 1826 Parts D, E, F and G on bond issues to go to statewide vote in 2010.

LD 1811 An Act To Amend the Maine Medical Marijuana Act

**PUBLIC 631
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRANNIGAN	OTP-AM	S-508 S-519 DIAMOND