

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

STATE OF MAINE
125TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON HEALTH AND HUMAN
SERVICES**

July 2011

STAFF:

JANE ORBETON, SENIOR ANALYST
ANNA BROOME, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
&
CHRIS NOLAN
OFFICE OF FISCAL AND PROGRAM REVIEW
5 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1635

MEMBERS:

SEN. EARLE L. MCCORMICK, CHAIR
SEN. NICHI S. FARNHAM
SEN. MARGARET M. CRAVEN

REP. MEREDITH N. STRANG BURGESS, CHAIR
REP. LESLIE T. FOSSEL
REP. RICHARD S. MALABY
REP. BETH A. O'CONNOR
REP. DEBORAH J. SANDERSON
REP. HEATHER W. SIROCKI
REP. MARK W. EVES
REP. MATTHEW J. PETERSON
REP. LINDA F. SANBORN
REP. PETER C. STUCKEY

STATE OF MAINE
125TH LEGISLATURE
FIRST REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 125th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD 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 LD is noted to the right of the LD title. The following describes the various final actions.

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; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public Law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 125th Legislature is September 28, 2011. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Health and Human Services

This bill requires the Department of Health and Human Services to make decisions approving or disapproving MaineCare care or services for children with life-threatening conditions within one working day of receiving the complete request or order.

Committee Amendment "A" (H-51)

This amendment clarifies that the request for MaineCare care or services must be an urgent request from the health care provider or providers.

Enacted Law Summary

Public Law 2011, chapter 35 requires the Department of Health and Human Services to make decisions approving or disapproving urgent requests for MaineCare care or services for children with life-threatening conditions within one working day of receiving the complete request or order.

LD 452 An Act To Provide MaineCare Reimbursement for Pastoral Counselors ONTP

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

This bill requires the Department of Health and Human Services to provide reimbursement under the MaineCare program for services provided by a licensed pastoral counselor beginning January 1, 2012.

LD 466 An Act To Require Hospitals To Adopt Employee Illness and Injury Prevention Programs and To Provide Lift Teams and To Require Reduced Workers' Compensation Insurance Rates for those Hospitals ONTP

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

This bill requires hospitals to adopt illness and injury prevention programs that include training in lifting patients and in the use of lifting equipment and the use of at least one lift team on each shift beginning January 1, 2012. The bill protects employees from disciplinary action in certain circumstances. The bill provides for a reduction in workers' compensation insurance rates for a hospital that provides lift teams and lifting equipment beginning with policies issued or renewed on July 1, 2012.

LD 472 An Act To Enhance the Security of Hospital Patients, Visitors and Employees PUBLIC 254

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CELLI	OTP-AM	H-360

Joint Standing Committee on Health and Human Services

This bill requires the adoption of safety and security plans to protect patients, visitors and employees in hospitals. The plan would require training for employees, a system for reporting, investigation of incidents of violence, a guarantee of the employee's right to seek assistance and treatment, immunity for good faith reporting of incidents and reporting to the Department of Public Safety and from that department to the Department of Health and Human Services. It requires the State Board of Corrections to adopt standards for safety and security plans in correctional facilities and county jails. It also requires annual reporting from the Department of Health and Human Services to the Legislature on reports of violence in hospitals.

Committee Amendment "A" (H-360)

This amendment replaces the bill. It requires a licensed hospital to adopt a safety and security plan on an annual basis and prohibits interference with a person making a report as provided in the plan. It applies the provision to critical access hospitals beginning July 1, 2012 and to all other hospitals beginning January 1, 2012.

Enacted Law Summary

Public Law 2011, chapter 254 requires a licensed hospital to adopt a safety and security plan on an annual basis and prohibits interference with a person making a report as provided in the plan. It applies the provision to critical access hospitals beginning July 1, 2012 and to all other hospitals beginning January 1, 2012.

LD 475 An Act Regarding Private Health Insurance Purchased by the State for Recipients of MaineCare ONTP

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

This bill prohibits the Department of Health and Human Services from requiring an individual to complete a health assessment or considering an individual's health status as a condition of eligibility for the Private Health Insurance Premium Program. The bill also provides that the prohibition does not affect an individual or family enrolled in private health insurance pursuant to the program prior to the provision's effective date.

LD 492 An Act To Ensure That Children's Products Are Free of Cadmium INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HINCK BLISS	REF ENR	

This bill prohibits the manufacture, sale and distribution in commerce of children's products containing cadmium at more than .004% by weight beginning July 1, 2013. In addition, the bill limits the substances that may be used as alternatives to cadmium in children's products. The bill directs the Department of Health and Human Services and the Maine Center for Disease Control and Prevention to enforce the cadmium limitation within available resources and provides penalties for violations. The Health and Human Services Committee voted to refer this bill to the Environment and Natural Resources Committee. The bill was indefinitely postponed prior to referral.