

MAINE STATE LEGISLATURE

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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

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STATE OF MAINE
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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

LD 581 An Act To Repeal the Laws Governing the Capital Investment Fund

PUBLIC 213

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCORMICK	OTP	H-295 RICHARDSON D

This bill repeals the laws governing the capital investment fund, which is a limit for resources allocated annually under the certificate of need program under the Maine Revised Statutes, Title 22, chapter 103-A.

House Amendment "A" (H-295)

This amendment was presented on behalf of the Committee on Bills in the Second Reading. Public Law 2011, chapter 90 repealed the sections of law that deal with state health planning, and this bill amends the same sections of law. The amendment is necessary to prevent a conflict.

Enacted Law Summary

Public Law 2011, chapter 213 repeals the laws governing the capital investment fund, which is a limit for resources allocated annually under the certificate of need program under the Maine Revised Statutes, Title 22, chapter 103-A.

LD 582 An Act To Amend the Maine Certificate of Need Act of 2002

ONTP

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

The bill amends the Maine Certificate of Need Act of 2002 as follows:

1. It raises the threshold for the review of purchases of major medical equipment to \$3,200,000;
2. It raises the threshold for review of a health care facility's utilization of new health services to \$300,000 and the 3rd-year costs associated with it to \$1,000,000, and raises the threshold for the utilization of new health services in private practice to \$3,200,000;
3. It strikes the certificate of need review threshold related to the purchase of replacement equipment;
4. It raises the threshold for the review of capital expenditures to \$6,200,000;
5. It adds an inflation adjustment factor for threshold amounts for review; and
6. It establishes a stakeholder group to review the Department of Health and Human Services' rules implementing the Maine Certificate of Need Act of 2002.