

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
125<sup>TH</sup> 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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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 125<sup>th</sup> 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 125<sup>th</sup> 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 869      An Act To Clarify the State's Authority under Public Health Laws for  
Municipal Inspections of Establishments**

**PUBLIC 295**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCORMICK	OTP-AM	S-166

This bill clarifies that the Department of Health and Human Services is the preeminent authority for inspection and licensing of establishments in order to ensure statewide uniformity of health standards. The bill clarifies the terms and conditions under which the department may authorize municipalities to conduct inspections of establishments within the municipality.

**Committee Amendment "A" (S-166)**

This amendment replaces the bill. It allows only municipalities that have been delegated authority by the Department of Health and Human Services to inspect establishments. A municipality that has not been delegated authority may not license or inspect establishments.

**Enacted Law Summary**

Public Law 2011, chapter 295 allows only municipalities that have been delegated authority by the Department of Health and Human Services to inspect establishments. A municipality that has not been delegated authority may not license or inspect establishments.

**LD 873      An Act To Promote the Establishment of an Adult Day Health Care  
Program for Veterans in Lewiston**

**PUBLIC 444**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRAVEN	OTP-AM	S-128

This bill establishes a model for adult day health care programs to serve Maine's veterans and eligible family members. The model is based on United States Department of Veterans Affairs program requirements and criteria, which promote home health care and community-based outpatient care. This model is intended to reduce both short-term and long-term costs of such care by utilizing community-based outpatient care options and combining federal and state funding while providing a wider range of medical care services, oversight and assistance with daily living for Maine's veterans and eligible family members. The initial placement of a facility is intended to be in Lewiston, which is an underserved area that is accessible to a significant population of eligible participants and allows the facility to be collocated at existing outreach facilities for veterans.

**Committee Amendment "A" (S-128)**

This amendment incorporates a fiscal note.

**Enacted Law Summary**

Public Law 2011, chapter 444 establishes a model for adult day health care programs to serve Maine's veterans and eligible family members. The model is based on United States Department of Veterans Affairs program requirements and criteria, which promote home health care and community-based outpatient care. This model is intended to reduce both short-term and long-term costs of such care by utilizing community-based outpatient care

***Joint Standing Committee on Health and Human Services***

options and combining federal and state funding while providing a wider range of medical care services, oversight and assistance with daily living for Maine's veterans and eligible family members. The initial placement of a facility is intended to be in Lewiston, which is an underserved area that is accessible to a significant population of eligible participants and allows the facility to be collocated at existing outreach facilities for veterans.

**LD 887      An Act To Include Medicinal Marijuana Patients in the Controlled Substances Prescription Monitoring Program      MAJORITY (ONTP) REPORT**

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

This bill requires the Department of Health and Human Services to include the names and related information of medicinal marijuana patients registered with the State in the Controlled Substances Prescription Monitoring Program operated by the Office of Substance Abuse. The information submitted is confidential as are the names of patients using controlled substances and prescribers of controlled substances.

**Committee Amendment "A" (H-237)**

This amendment is the minority report of the committee. It changes the word "medicinal" to "medical" in the title and in 2 places in the bill to make the language consistent with current law. The amendment also adds an appropriations and allocations section.

**LD 897      An Act To Amend the Application Process for the Progressive Treatment Program      Carried Over**

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

Current law limits who may obtain an order from the District Court to admit a patient to a progressive treatment program. This bill allows a health officer, law enforcement officer or any other person to obtain the order. The bill also requires that when an examiner forms an opinion it must be based on history as well as personal observation.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

**LD 918      An Act To Reduce the Cost of Mental Health Services in Maine      ONTP**

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

This bill updates existing language governing the provisions of community support services for people with serious and persistent mental illness, requires the Department of Health and Human Services to allocate federal child and adult mental health services block grant funds to peer and family supports and requires the department to seek these