

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

This amendment makes the following changes to the resolve, which creates a working group to study and to make recommendations regarding the administration of general assistance programs.

1. It adds the general assistance program manager in the Department of Health and Human Services to the working group, increasing the number of members of the group from 9 to 10.
2. It adds to the duties of the working group so that the group examines uniformity of general assistance administration, studies whether additional sources of income should be included in the calculation of general assistance, determines whether lump-sum payments should be calculated differently and studies whether the length of ineligibility following a work requirement violation, discharge for misconduct or refusal to use an available resource is appropriate.
3. It clarifies that the Director of the Office of Policy and Legal Analysis must be notified of meetings of the working group.
4. It clarifies that the report from the working group must be submitted to the Joint Standing Committee on Health and Human Services.
5. It adds an appropriations and allocations section.

This bill died on the appropriations table on adjournment.

LD 1062 An Act To Ensure Access to Certain Health Care Services for Children ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLARK H BRANNIGAN	ONTP	

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to ensure access to health care for children by:

1. Allowing a child who does not have health care coverage to see a medical specialist free of charge; and
2. Allowing the child to continue to be seen and treated by that specialist, if the medical condition is one that can be treated by that specialist, for a small fee based only on income, such as actual wages earned by the child's parent or guardian or general assistance provided to the child or the child's parent or guardian. Unearned income, such as interest and dividends, savings, retirement plans, pensions, unemployment or workers' compensation benefits and the value of property owned by the child or the parent or guardian of the child, would not be includable for purposes of determining the fee to be paid to the specialist.

LD 1073 Resolve, To Encourage the Use of Defibrillators in Health Clubs and Gyms RESOLVE 50

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CASAVANT SULLIVAN	OTP-AM	H-172

Joint Standing Committee on Health and Human Services

This bill provides that health clubs and gymnasiums and other places of exercise and health must have automated external defibrillators in place, and requires personnel of the health clubs and gymnasiums to be trained in the use of automated external defibrillators.

Committee Amendment "A" (H-172)

This amendment replaces the bill with a resolve that requires the Department of Public Safety to work with the Department of Health and Human Services, Maine Center for Disease Control and Prevention, Maine Cardiovascular Health Program, the American Heart Association's Maine affiliate and emergency medical services around the State to determine where health clubs and gyms are located, whether automated external defibrillators are installed in those health clubs and gyms and whether staff have been trained in their use. The government discounted price for automated external defibrillators has been extended to health clubs and gyms in the State and the amendment provides that this information must be publicized to health clubs and gyms. The Department of Public Safety is required to report to the Joint Standing Committee on Health and Human Services by January 1, 2012 with a progress report.

Enacted Law Summary

Resolve 2011, chapter 50 requires the Department of Public Safety to work with the Department of Health and Human Services, Maine Center for Disease Control and Prevention, Maine Cardiovascular Health Program, the American Heart Association's Maine affiliate and emergency medical services around the State to determine where health clubs and gyms are located, whether automated external defibrillators are installed in those health clubs and gyms and whether staff have been trained in their use. The government discounted price for automated external defibrillators has been extended to health clubs and gyms in the State and this law provides that this information must be publicized to health clubs and gyms. The Department of Public Safety is required to report to the Joint Standing Committee on Health and Human Services by January 1, 2012 with a progress report.

**LD 1105 Resolve, To Study Oral Health Care in Maine and Make
Recommendations Regarding How To Address Maine's Oral Health
Care Needs**

RESOLVE 92

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RECTOR	OTP-AM	S-238

This resolve directs the Legislature to contract with a qualified consultant that has sufficient resources and experience to conduct a study of the State's oral health care needs.

Committee Amendment "A" (S-238)

This amendment replaces the resolve and instead requires the Executive Director of the Legislative Council to request Medical Care Development, Inc. to perform a study of oral health care needs in the State. The amendment makes the study dependent on nonstate funding and requires a report to the Joint Standing Committee on Labor, Commerce, Research and Economic Development and the Joint Standing Committee on Health and Human Services by January 1, 2012. The amendment also requires Medical Care Development, Inc. to seek the advice of Legislators from the 2 joint standing committees and statewide associations of interested parties.

Enacted Law Summary

Resolve 2011, chapter 92 requires the Executive Director of the Legislative Council to request Medical Care Development, Inc. to perform a study of oral health care needs in the State. The resolve makes the study dependent on nonstate funding and requires a report to the Joint Standing Committee on Labor, Commerce, Research and Economic Development and the Joint Standing Committee on Health and Human Services by January 1, 2012. The