

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

decline participation in the exchange.

5. It requires the state-designated statewide health information exchange to meet or exceed all federal laws related to privacy, security and breach notification regarding personally identifiable protected health information.

6. It exempts from the freedom of access laws information regarding a patient retained by the state-designated statewide health information exchange.

LD 1361 Resolve, To Ensure Patient Safety in the Use of Certain Imaging Equipment

**MAJORITY
(ONTP) REPORT**

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

This resolve requires the Advisory Committee on Radiation and the Board of Dental Examiners to review the licensing, required operator training and continuing education requirements and state oversight of cone beam computed tomography scanners, as used in dental offices. This review must include an assessment of whether current rules and practices relating to these scanners are sufficient to protect the public, including both child and adult patients. This resolve requires the Department of Health and Human Services, Maine Center for Disease Control and Prevention, Division of Environmental Health, Radiation Control Program to collect demographic information from dentists about minor patients who receive a scan from October 1, 2011 to January 1, 2012 and report this information to the committee and the board. The committee and the board shall report their findings, including any recommended legislation, to the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Labor, Commerce, Research and Economic Development no later than February 1, 2012. The Joint Standing Committee on Health and Human Services or the Joint Standing Committee on Labor, Commerce, Research and Economic Development may submit a bill to the Second Regular Session of the 125th Legislature on the subject matter of the report of the committee and the board.

Committee Amendment "A" (H-416)

This amendment is the minority report of the committee. The amendment requires the report on cone beam computed tomography scanner use with children to include the ages of the children. The amendment also adds an appropriations and allocations section.

LD 1364 An Act To Improve the Quality and Reduce the Cost of Health Care

Carried Over

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

This bill directs the Department of Health and Human Services to coordinate the purchase of prescription drugs for MaineCare members through certain organizations eligible for prescription drug discounts under the federal Public Health Service Act, referred to as "340B covered entities," in order for the MaineCare program to negotiate the lowest possible prices and avoid retail markup beginning January 1, 2012. The bill provides a mechanism to calculate savings from establishing the 340B program and distribute the savings among 340B covered entities. The bill provides for routine technical rulemaking as required to implement the provisions of the bill.