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 SECOND REGULAR SESSION



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

JOINT STANDING COMMITTEE ON HEALTH AND HUMAN SERVICES

June 2012

MEMBERS:

SEN. EARLE L. MCCORMICK, CHAIR

STAFF:
SEN. NICHI S. FARNHAM

JANE ORBETON, SENIOR ANALYST
SEN. MARGARET M. CRAVEN

ANNA BROOME, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
REP. MEREDITH N. STRANG BURGESS, CHAIR

OFFICE OF POLICY AND LEGAL ANALYSIS

13 STATE HOUSE STATION

AUGUSTA, ME 04333

(207) 287-1670

& REP. MEREDITH N. STRANG BURGESS, CHAIR
REP. LESLIE T. FOSSEL
REP. RICHARD S. MALABY
REP. BETH A. O'CONNOR
REP. DEBORAH J. SANDERSON
CHRIS NOLAN
OFFICE OF FISCAL AND PROGRAM REVIEW
5 STATE HOUSE STATION

REP. MEREDITH N. STRANG BURGESS, CHAIR
REP. LESLIE T. FOSSEL
REP. MEREDITH N. STRANG BURGESS, CHAIR
REP. LESLIE T. FOSSEL
REP. MEREDITH N. STRANG BURGESS, CHAIR
REP. LESLIE T. FOSSEL
REP. BETH A. O'CONNOR
REP. DEBORAH J. SANDERSON
REP. HEATHER W. SIROCKI
REP. MARK W. EVES
STATE HOUSE STATION

REP. MATTHEW J. PETERSON

AUGUSTA, ME 04333 REP. LINDA F. SANBORN (207) 287-1635 REP. PETER C. STUCKEY

STATE OF MAINE

125TH LEGISLATURE SECOND 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 Second 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
CON RES XXX chapter # of constitutional resolution passed by both houses
CONF CMTE UNABLE TO AGREE
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 PASSAGEemergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE
FAILED, MANDATE ENACTMENTlegislation 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 BODYruled 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
PUBLIC XXX
RESOLVE XXX
VETO SUSTAINEDLegislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the Second Regular Session of the 125th Legislature is Thursday, August 30, 2012. 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 1115 An Act To Clarify the Responsibilities of the Maine Developmental Services Oversight and Advisory Board

ONTP

Sponsor(s)	Committee Report	Amendments Adopted
STRANG BURGESS ALFOND	ONTP	

This bill was carried over from the First Regular Session of the 125th Legislature.

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

This bill proposes to modify the Maine Revised Statutes to clarify the structure and responsibilities of the Maine Developmental Services Oversight and Advisory Board.

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

ONTP

Sponsor(s)	Committee Report	Amendments Adopted
FITTS	ONTP	
RAYE		

This bill was carried over from the First Regular Session of the 125th Legislature.

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.

LD 1624

An Act To Lessen the Regulatory Burden on Medical Laboratories by Removing Outdated Requirements from the Maine Medical Laboratory Act

PUBLIC 531

Sponsor(s)	Committee Report	Amendments Adopted
MCCORMICK	OTP-AM	S-396

This bill amends the Maine Medical Laboratory Act as follows.

- 1. It removes the requirement that an application for a medical laboratory license be notarized. Other licensing laws do not have this requirement.
- 2. It removes a provision that allows the technical personnel of a licensed medical laboratory to collect certain specimens. Eliminating this provision provides that no person other than a licensed physician or a person authorized

Joint Standing Committee on Health and Human Services

by law is allowed to manipulate a person for the collection of specimens or process or submit or act as an agent for the transmittal of specimens.

3. It removes the requirement that a licensed medical laboratory send a copy of an itemized statement of laboratory services to the patient. Current practice is to send the itemized statement to the insurance company, the laboratory's client or the patient.

Committee Amendment "A" (S-396)

This amendment allows specimens to be collected or processed by licensed health care professionals and their designees acting within their scope of practice and qualified medical laboratory personnel who are authorized by the director of the medical laboratory. The bill eliminates the requirement for a licensed medical laboratory to send a copy of the itemized statement of laboratory services to the patient. This amendment keeps the requirement for the patient to receive an itemized statement, but enacts it as a separate section within the Maine Medical Laboratory Act.

Enacted Law Summary

Public Law 2011, chapter 531 amends the Maine Medical Laboratory Act as follows.

- 1. It removes the requirement that an application for a medical laboratory license be notarized. Other licensing laws do not have this requirement.
- It allows certain specimens to be collected or processed by licensed health care professionals and their designees acting within their scope of practice and qualified medical laboratory personnel who are authorized by the director of the medical laboratory.
- 3. It enacts the current requirement for the patient to receive an itemized statement as a separate section within the Maine Medical Laboratory Act.

LD 1625 An Act To Amend the Organization of the Quality Assurance Review Committee PUBLIC 495

Sponsor(s)	Committee Report	Amendments Adopted
MCCORMICK	OTP	

This bill gives the Department of Health and Human Services the duty to establish a statewide quality assurance review committee to review the provision of home care coordination services for long-term services and supports for elders and adults with disabilities. Previously, an agency that contracted to provide home care coordination services for the department was required to establish the committee. This bill also eliminates the requirement that the committee annually report to the department, and eliminates a reference to the Long-term Care Implementation Committee, which was repealed in 2003.

Enacted Law Summary

Public Law 2011, chapter 495 gives the Department of Health and Human Services the duty to establish a statewide quality assurance review committee to review the provision of home care coordination services for long-term services and supports for elders and adults with disabilities. Previously, an agency that contracted to provide home care coordination services for the department was required to establish the committee. It also eliminates the requirement that the committee annually report to the department, and eliminates a reference to the Long-term Care Implementation Committee, which was repealed in 2003.