

MAINE STATE LEGISLATURE

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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

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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.

<i>CARRIED OVER</i>	<i>carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i>	<i>chapter # of constitutional resolution passed by both houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; legislation died</i>
<i>DIED BETWEEN HOUSES</i>	<i>House & Senate disagreed; legislation died</i>
<i>DIED IN CONCURRENCE</i>	<i>defeated in each house, but on different motions; legislation died</i>
<i>DIED ON ADJOURNMENT</i>	<i>action incomplete when session ended; legislation died</i>
<i>EMERGENCY</i>	<i>enacted law takes effect sooner than 90 days after session adjournment</i>
<i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i>	<i>emergency failed to receive required 2/3 vote</i>
<i>FAILED, ENACTMENT or FINAL PASSAGE</i>	<i>failed to receive final majority vote</i>
<i>FAILED, MANDATE ENACTMENT</i>	<i>legislation proposing local mandate failed required 2/3 vote</i>
<i>HELD BY GOVERNOR</i>	<i>Governor has not signed; final disposition to be determined at subsequent session</i>
<i>LEAVE TO WITHDRAW</i>	<i>sponsor's request to withdraw legislation granted</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>ruled out of order by the presiding officer; legislation died</i>
<i>INDEF PP</i>	<i>indefinitely postponed; legislation died</i>
<i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i> ...	<i>ought-not-to-pass report accepted; legislation died</i>
<i>P&S XXX</i>	<i>chapter # of enacted private & special law</i>
<i>PUBLIC XXX</i>	<i>chapter # of enacted public Law</i>
<i>RESOLVE XXX</i>	<i>chapter # of finally passed resolve</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's veto</i>

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 1688 An Act To Clarify the Status of Patients Held under Involuntary
Commitment Applications**

PUBLIC 541

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MOULTON	OTP-AM	H-747

This bill clarifies that an application for involuntary commitment, also known as a "blue paper," or the subsequent review and endorsement of that application by a judge or justice, is not a judicial determination of commitment and that emergency hospitalization under a blue paper application is not involuntary commitment.

Committee Amendment "A" (H-747)

This amendment replaces the bill and clarifies that an application for admission to a psychiatric hospital under the Maine Revised Statutes, Title 34-B, section 3863 is not a commitment to a psychiatric hospital. It retains the effect of the bill. The amendment strikes a reference to commitment under Title 34-B, section 3863 in the criminal laws on firearms possession.

Enacted Law Summary

Public Law 2011, chapter 541 clarifies that an application for admission to a psychiatric hospital under the Maine Revised Statutes, Title 34-B, section 3863 is not a commitment to a psychiatric hospital and that emergency hospitalization under such an application is not involuntary commitment. The law also strikes a reference to commitment under Title 34-B, section 3863 in the criminal laws on firearms possession.

**LD 1692 An Act To Provide Reimbursement for MaineCare Services Provided by
Qualified, Unlicensed Professionals Who Are Supervised by Licensed
Health Professionals**

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EVES CRAVEN	ONTP MAJ OTP-AM MIN	H-782

This bill ensures continuation of federal financial participation under the MaineCare program by clarifying the authority of certain licensed professionals to provide and supervise the provision of case management services under the program.

Committee Amendment "A" (H-782)

This amendment is the minority report of the committee and replaces the bill. The amendment provides for qualified, unlicensed professionals to provide MaineCare services when supervised by licensed health professionals and authorizes the Department of Health and Human Services to cover those services. The amendment also directs the department to adopt routine technical rules to implement the provisions.

This amendment was not adopted.