

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 1694 Resolve, Directing the Department of Health and Human Services To
Review Rules Governing Reimbursement to MaineCare Recipients for
Transportation to and from MaineCare Services**

RESOLVE 142

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURNS DC THOMAS	OTP-AM MAJ ONTP MIN	H-783

This resolve directs the Department of Health and Human Services to review reimbursement to MaineCare recipients for transportation to freestanding methadone clinics and to adopt rules to ensure uniformity in reimbursement throughout the State and reduce the incidence of fraud. The department is directed to submit a report to the joint standing committee of the Legislature having jurisdiction over health and human services matters by December 15, 2012.

Committee Amendment "A" (H-783)

This amendment directs the Department of Health and Human Services to review reimbursement for transportation for MaineCare members to and from MaineCare services, including but not limited to freestanding methadone clinics that provide methadone treatment services. The amendment directs the Department of Health and Human Services to submit a report to the joint standing committee of the Legislature having jurisdiction over health and human services matters by December 15, 2012.

Enacted Law Summary

Resolve 2011, chapter 142 directs the Department of Health and Human Services to review reimbursement for transportation for MaineCare members to and from MaineCare services, including but not limited to freestanding methadone clinics that provide methadone treatment services. The resolve directs the Department of Health and Human Services to submit a report to the joint standing committee of the Legislature having jurisdiction over health and human services matters by December 15, 2012.

**LD 1700 An Act To Provide an Alternative Method of Calculating Minimum
Staffing Levels in Nursing Homes**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STRANG BURGESS MCCORMICK	ONTP	

Currently, nursing home staffing ratios are calculated based on individual 8-hour shifts. This bill requires the Department of Health and Human Services to develop alternative staffing ratios that encourage person-centered care, increase quality and improve efficiency by developing a standard calculated over a 24-hour period. Nursing homes would still ultimately be required to staff according to residents' needs. The bill directs the department to convene a working group to develop such a standard and to invite the participation of representatives of the Maine Long-Term Care Ombudsman Program, the Maine Health Care Association, LeadingAge of Maine and New Hampshire, the Alzheimer's Association, Maine Chapter and other interested stakeholders. The bill provides that amendments to the licensing rules are major substantive rules.

The Health and Human Services Committee requested by letter that the Department of Health and Human Services continue working with interested parties and report back on its progress, with any proposed changes to law and rule,

Joint Standing Committee on Health and Human Services

by December 1, 2012.

LD 1705 Resolve, To Create the Task Force on the Prevention of Sexual Abuse of Children

**RESOLVE 162
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAKER RAYE	OTP-AM	H-796 S-571 COURTNEY

This resolve establishes the Task Force on the Prevention of Sexual Abuse of Children, which is directed to research issues regarding child sexual abuse in Maine and to adopt policies to address those issues. The policies may include age-appropriate curricula for schoolchildren from prekindergarten to grade 5 and methods to increase teacher, student and parent awareness of the issues regarding child sexual abuse. The task force is also directed to submit a report to the joint standing committee of the Legislature having jurisdiction over health and human services matters, and the joint standing committee is authorized to submit legislation to the First Regular Session of the 126th Legislature based on that report.

Committee Amendment "A" (H-796)

This amendment changes the composition of the Task Force on the Prevention of Sexual Abuse of Children and increases membership to 13 members. It changes the task force duties to clarify that the task force is directed to make recommendations to prevent and address child sexual abuse.

Senate Amendment "A" (S-571)

This amendment revises the language regarding compensation. Under this amendment, legislative members of the task force receive per diem and expenses in accordance with the Joint Rules.

Enacted Law Summary

Resolve 2011, chapter 162 establishes the Task Force on the Prevention of Sexual Abuse of Children. The resolve directs the task force to research issues regarding child sexual abuse in Maine and to recommend policies to address those issues. The policies may include age-appropriate curricula for schoolchildren from prekindergarten to grade 5 and methods to increase teacher, student and parent awareness of the issues regarding child sexual abuse. The task force is also directed to submit a report by November 7, 2012, to the joint standing committee of the Legislature having jurisdiction over health and human services matters, and the joint standing committee is authorized to submit legislation to the First Regular Session of the 126th Legislature based on that report.

Resolve 2011, chapter 162 was passed as an emergency measure effective April 21, 2012.

LD 1714 An Act To Restrict Further the Amount of Methamphetamine Precursors That May Be Bought or Sold

PUBLIC 584

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WILLETTE A MCCORMICK	OTP-AM	H-822

This bill amends the current restrictions on the sale of a targeted methamphetamine precursor to limit sales to 3.6 grams per day and 9 grams per 30 days. It also places the same restrictions on purchases.