

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

Public Law 2011, chapter 617 makes changes to the Fund for a Healthy Maine as recommended by the Commission To Study Allocations of the Fund for a Healthy Maine established pursuant to Resolve 2011, chapter 112. It adds prevention, education and treatment activities concerning unhealthy weight and obesity to the health promotion purposes of the fund. It also requires the Commissioner of Administrative and Financial Services, in consultation with the Commissioner of Health and Human Services, to create a separate entry for prevention, education and treatment activities concerning unhealthy weight and obesity to be used in the state budget beginning in fiscal year 2014-15. The entry must include the funds being spent on obesity prevention. By October 1, 2012, the Commissioner of Administrative and Financial Services is required to make a progress report to the Legislature on creating the separate entry.

LD 1862 An Act To Limit Eligibility under the Municipal General Assistance Program ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO	ONTP	

This bill excludes from eligibility for a municipal general assistance program a person who is a member of a household that is ineligible to receive Temporary Assistance for Needy Families program benefits because the household has exhausted the 60-month lifetime limit on Temporary Assistance for Needy Families program benefits.

LD 1884 An Act To Revise the Laws Regarding the Fund for a Healthy Maine PUBLIC 701

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP	S-612 ROSEN R

This bill is the report of the Joint Standing Committee on Health and Human Services pursuant to Joint Rule 353. This bill, which is based on recommendations from the Commission To Study Allocations of the Fund for a Healthy Maine, proposes changes to the Fund for a Healthy Maine. The bill changes the Fund for a Healthy Maine from an Other Special Revenue Funds account to a separate fund. It requires an annual report on targeted uses of fund money to the Commissioner of Administrative and Financial Services and provides for an annual report to the Legislature. It places in law review by the joint standing committee of the Legislature having jurisdiction over health and human services matters of legislative proposals affecting the fund, which is currently in effect through Joint Rule 317. It requires the Legislature to establish a study commission to review allocations of the fund every 4 years in the same manner in which those allocations were reviewed in 2011 and to report with recommendations to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over health and human services matters.

Senate Amendment "A" (S-612)

This amendment removes the Fund for a Healthy Maine Study Commission proposed in the bill.

Enacted Law Summary

Public Law 2011, chapter 701, which is based on recommendations from the Commission To Study Allocations of the Fund for a Healthy Maine, makes changes to the Fund for a Healthy Maine. The law changes the Fund for a Healthy Maine from an Other Special Revenue Funds account to a separate fund. The law requires an annual report

Joint Standing Committee on Health and Human Services

on targeted uses of fund money to the Commissioner of Administrative and Financial Services and provides for an annual report to the Legislature. It places in law review by the joint standing committee of the Legislature having jurisdiction over health and human services matters of legislative proposals affecting the fund, which review is currently in effect through Joint Rule 317.

**LD 1886 Resolve, Directing Review of Strategies To Improve Communication
between Patients and Physicians**

RESOLVE 159

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HAYES LANGLEY	OTP-AM MAJ ONTP MIN	H-905

This bill requires mammography reports or other information provided to patients to include information regarding breast density.

Committee Amendment "A" (H-905)

This amendment is the majority report of the committee. The amendment replaces the bill with a resolve that directs the Department of Health and Human Services, Maine Center for Disease Control and Prevention, in conjunction with the Maine Medical Association, to convene a broadly representative work group to review strategies to improve the dialogue between patients and physicians regarding breast density and breast imaging options and report with recommendations to the joint standing committee of the Legislature having jurisdiction over health and human services matters by December 7, 2012.

Enacted Law Summary

Resolve 2011, chapter 159 directs the Department of Health and Human Services, Maine Center for Disease Control and Prevention, in conjunction with the Maine Medical Association, to convene a broadly representative work group to review strategies to improve the dialogue between patients and physicians regarding breast density and breast imaging options and report with recommendations to the joint standing committee of the Legislature having jurisdiction over health and human services matters by December 7, 2012.

LD 1887 An Act To Restructure the Department of Health and Human Services

**DIED ON
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCORMICK	OTP-AM MAJ ONTP MIN	S-533

This bill restructures the Department of Health and Human Services. The bill does not eliminate the duties and functions of those organizational units eliminated in the bill; under the bill, the department and the Commissioner of Health and Human Services are directed to carry out those duties and functions.

Part A eliminates as a separate and distinct office the Office of Substance Abuse.

Part B eliminates as a separate and distinct office the Office of Elder and Adult Services.

Part C eliminates as a separate and distinct office the Office of Adults with Cognitive and Physical Disabilities.