

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
126<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON HEALTH AND HUMAN  
SERVICES**

July 2013

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\*Rep. Jane P. Pringle temporarily appointed for the duration of the absence of Rep. Matthew Peterson on the Health and Human Services Committee

# STATE OF MAINE

126<sup>TH</sup> LEGISLATURE  
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## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 126<sup>th</sup> 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 126<sup>th</sup> Legislature is October 9, 2013. 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 390**

### **An Act To Restore MaineCare Coverage for Ambulatory Surgical Center Services**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COOPER GRATWICK	OTP-AM	

This bill restores funding for MaineCare coverage for ambulatory surgical center services.

#### **Committee Amendment "A" (H-215)**

This amendment removes from the emergency preamble the word "inpatient," which was included in the bill in error. This amendment restores reimbursement that was eliminated in state fiscal year 2012-13. This amendment switches the funding in the bill from the General Fund to the Fund for a Healthy Maine and adds a requirement that the Department of Health and Human Services adopt routine technical rules regarding the reimbursement of ambulatory surgical centers to take effect July 1, 2013.

This bill was committed to the Joint Standing Committee on Appropriations and Financial Affairs and carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

**LD 434**

### **Resolve, Regarding Safer Workplaces for Home Care and Home Health Workers**

**VETO  
SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRAVEN FARNSWORTH	OTP-AM	S-198

This bill requires home health care providers to provide safe working conditions for their employees, including checking the sex offender registry for information on a client before sending an employee to the home of the client.

#### **Committee Amendment "A" (S-198)**

This amendment replaces the bill with a resolve. The amendment incorporates the concepts contained in Legislative Document 1165 of the 126th Legislature, "An Act To Improve the Safety of Workers Who Provide Direct Mental Health and Social Services." The amendment directs the Department of Health and Human Services and the Department of Labor to convene a broadly representative work group to develop a set of guidelines that helps home care workers, home health workers and home care and home health agencies to better assess workplace risks. The amendment directs the work group to examine ways in which specific information about potential threats at service locations can be better communicated to the workers who serve clients in those locations and to consider a centralized recording of all incidents of workplace violence, a written workplace violence prevention and crisis response plan and training for home care workers and home health workers. The amendment directs the departments to report to the Joint Standing Committee on Health and Human Services by January 1, 2014.