

# 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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# 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 447**

**An Act To Increase Patient Choice in Health Care Facilities and Health Care Settings**

**PUBLIC 214**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK BRIGGS	OTP-AM	S-122

This bill requires the disclosure of information to a patient who is being discharged from a hospital to a nursing facility, hospice provider or home health agency regarding the patient's health care options. It requires information sharing among physicians, nursing facilities, hospice providers, home health agencies and hospitals to facilitate this disclosure. It requires the information to include business connections among hospitals, nursing facilities, hospice providers and home health agencies and physicians. The bill also requires the Department of Health and Human Services to amend its rules on medical directors in nursing facilities to make the rules consistent with federal requirements and designates the rules as routine technical rules.

**Committee Amendment "A" (S-122)**

This amendment replaces the bill. The amendment adds hospital swing beds, acute rehabilitation care and hospice providers to the list of providers covered by the Maine Revised Statutes, Title 22, section 1831. The amendment requires distribution of a standardized list of licensed providers and physicians in the relevant settings and notice of patient rights and of how to contact the long-term care ombudsman program. The amendment requires the Department of Health and Human Services to amend its rules on medical directors in nursing facilities to include among the responsibilities of the medical director ongoing guidance in the development and implementation of resident care policies, including review and revision of existing policies. The amended rules must require that the facility, including a facility that is corporately owned, be able to show that its development, review and approval of resident care policies or procedures include the opportunity for the medical director's input.

**Enacted Law Summary**

Public Law 2013, chapter 214 adds hospital swing beds, acute rehabilitation care and hospice providers to the list of providers covered by the Maine Revised Statutes, Title 22, section 1831. The law requires distribution of a standardized list of licensed providers and physicians in the relevant settings and notice of patient rights and of how to contact the long-term care ombudsman program. The law requires the Department of Health and Human Services to amend its rules on medical directors in nursing facilities to include among the responsibilities of the medical director ongoing guidance in the development and implementation of resident care policies, including review and revision of existing policies. The amended rules must require that the facility, including a facility that is corporately owned, be able to show that its development, review and approval of resident care policies or procedures include the opportunity for the medical director's input.

**LD 460**

**An Act To Protect Newborn Infants from Critical Congenital Heart Disease**

**PUBLIC 397  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BECK CRAVEN	OTP-AM ONTP	H-515 H-535 MALABY

This bill requires a health care facility that provides birthing and newborn care services and is licensed by the Department of Health and Human Services to perform pulse oximetry to screen for congenital heart disease in a newborn in its care no sooner than 24 hours after the birth of that newborn.

**Committee Amendment "A" (H-515)**