

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH 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

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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 126th 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 126th 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.

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and Medicaid Services of the state plan amendment. The amendment also provides a new methodology for recapturing depreciation upon the sale of residential care facilities for which reimbursement for room and board costs, including depreciation, is provided by the Department of Health and Human Services. The methodology is similar to the methodology used for nursing facilities.

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 539 An Act To Ensure Parity in the Ability To Counsel Patients ONTP

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

This bill adds licensed clinical professional counselors to the list of persons who may provide counseling to a minor in connection with the minor's decision regarding pregnancy.

**LD 579 Resolve, To Clarify and Improve the Eligibility Process for Services for ONTP
Persons with Intellectual Disabilities or Autism**

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

This resolve directs the Department of Health and Human Services to undertake a process to update the criteria for eligibility for services for persons with intellectual disabilities or autism. The resolve directs the department to convene a stakeholder group to develop a guide to the application and eligibility process. The resolve directs the department to adopt routine technical rules relating to the department's intellectual disabilities complex case committee. The resolve designates both sets of rules as routine technical rules and requires adoption of the rules by January 1, 2014.

**LD 597 An Act To Inform Persons of the Options for the Treatment of Lyme PUBLIC 340
Disease**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRIGGS CRAVEN	OTP-AM OTP-AM	H-184 H-453 BRIGGS

This bill directs the Maine Center for Disease Control and Prevention to include on its publicly accessible website information about different alternatives for the treatment of Lyme disease. The bill also requires the center to include information about treatment guidelines recommended by the Infectious Diseases Society of America, which represents physicians, scientists and other health care professionals who specialize in infectious diseases, and the International Lyme and Associated Diseases Society, an international nonprofit multidisciplinary medical society. The bill directs the center to work with health care professionals to inform patients about different alternatives for the treatment of Lyme disease.

Committee Amendment "A" (H-184)

This amendment, which is the majority report of the committee, replaces the bill. It requires any health care

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provider that orders a laboratory test for the presence of Lyme disease to inform the patient that a negative test for Lyme disease does not necessarily mean that Lyme disease is not present and that if symptoms continue, the patient should contact a health care provider and inquire about the appropriateness of retesting or additional treatment. The amendment also requires the Department of Health and Human Services, Maine Center for Disease Control and Prevention to include information on Lyme disease diagnosis and treatment on its publicly accessible website that informs users about the difficulty of diagnosing and treating Lyme disease, that some doctors and patients believe longer doses of antibiotics may be helpful and beneficial, that antibiotic use can lead to the development of drug-resistant organisms and that information on treatment alternatives for Lyme disease is available through certain websites.

Committee Amendment "B" (H-185)

This amendment, which is the minority report of the committee, replaces the bill. It requires the Department of Health and Human Services, Maine Center for Disease Control and Prevention to include on its publicly accessible website information that informs users about the difficulty of diagnosing and treating Lyme disease, that scientific studies suggest longer doses of antibiotics are not helpful but that some doctors and patients believe they are helpful and beneficial, that antibiotic use can lead to the development of drug-resistant organisms and that information on treatment alternatives for Lyme disease is available through Internet search engines. This amendment was not adopted.

House Amendment "B" To Committee Amendment "A" (H-378)

This amendment removes the provision that requires any health care provider that orders a laboratory test for the presence of Lyme disease to inform the patient that a negative test for Lyme disease does not necessarily mean that Lyme disease is not present and that if symptoms continue, the patient should contact a health care provider and inquire about the appropriateness of retesting or additional treatment. This amendment was not adopted.

House Amendment "C" To Committee Amendment "A" (H-453)

This amendment requires a health care provider to give a patient a copy of the results of a Lyme disease test rather than informing the patient that a negative test does not necessarily mean that Lyme disease is not present. It also requires the Maine Center for Disease Control include information on its website about negative test results and expands the list of information resources that must be included on the website.

Enacted Law Summary

Public Law 2013, chapter 340 requires a health care provider to give a patient a copy of the results of a Lyme disease test. It also requires the Department of Health and Human Services, Maine Center for Disease Control and Prevention to include the following information on its publicly accessible website regarding Lyme disease and treatment:

1. Lyme disease may be difficult to treat and diagnose;
2. Some doctors and patients believe longer doses of antibiotics may be helpful and beneficial;
3. Antibiotic use can lead to the development of drug-resistant organisms;
4. A negative result for a Lyme disease test does not necessarily mean that Lyme disease is not present; and
5. Information on treatment alternatives for Lyme disease is available through certain websites.