

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.

Joint Standing Committee on Health and Human Services

person a reasonable opportunity for a fair hearing and final determination of child care program eligibility.

**LD 829 Resolve, To Continue the Redesign of Shared Living Services for Adults
with Intellectual Disabilities or Autism**

**RESOLVE 57
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STUCKEY	OTP-AM	H-269

This resolve requires the Department of Health and Human Services to continue to work on the redesign of its shared living program and to complete the redesign by June 30, 2013.

Committee Amendment "A" (H-269)

This amendment requires the Department of Health and Human Services to continue to work on the redesign of its shared living program and removes from the bill the due date for completion. The amendment requires the department to submit a progress report to the Joint Standing Committee on Health and Human Services by January 15, 2014.

Enacted Law Summary

Resolve 2013, chapter 57 requires the Department of Health and Human Services to continue to work on the redesign of its shared living program and removes from the bill the due date for completion. The law requires the department to submit a progress report to the Joint Standing Committee on Health and Human Services by January 15, 2014.

Resolve 2013, chapter 57 was finally passed as an emergency measure effective June 19, 2013.

**LD 846 An Act To Improve and Modernize the Authority of Local Health
Officers**

ONTP

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to:

1. Direct the Department of Health and Human Services, Maine Center for Disease Control and Prevention to update its manual for local health officers to reflect changes in the health inspection rules adopted by the center, provide annual training for local health officers and communicate regularly with local health officers;
2. Repeal the prohibition on local health officers' entering licensed establishments for purposes of inspection;
3. Simplify and modernize the training required for certain municipalities to select a local health officer; and
4. Repeal the requirement that a municipality appoint a local health officer.

**LD 847 Resolve, To Address Changes Needed for Providers of Private
Nonmedical Institution Services**

ONTP

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

Joint Standing Committee on Health and Human Services

In response to requirements of the federal Centers for Medicare and Medicaid Services, this resolve directs the Department of Health and Human Services to take all necessary actions to convert private nonmedical institution services beds for adults with intellectual disabilities to home and community-based waiver beds for adults with intellectual disabilities. The resolve directs the department to complete a plan for the conversion and submit the plan to the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Appropriations and Financial Affairs by January 1, 2014. The resolve directs the department to complete the conversion by July 1, 2014 and to submit a full report to the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Appropriations and Financial Affairs upon completion of the conversion. The resolve states that the conversion must be accomplished within existing resources appropriated for private nonmedical institution services.

LD 881 An Act To Improve the Unused Pharmaceutical Disposal Program

PUBLIC 121

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRAVEN SANDERSON	OTP	

This bill makes changes to the Unused Pharmaceutical Disposal Program as recommended by the Prescription Drug Abuse Task Force, which was established by the Governor and the Attorney General by Executive Order 2012-002. The purpose of the bill is to reduce the cost of safe, effective and proper disposal of unused pharmaceuticals in order to reduce prescription drug abuse.

Enacted Law Summary

Public Law 2013, chapter 121 makes changes to the Unused Pharmaceutical Disposal Program as recommended by the Prescription Drug Abuse Task Force, which was established by the Governor and the Attorney General by Executive Order 2012-002. The law reduces the cost of safe, effective and proper disposal of unused pharmaceuticals in order to reduce prescription drug abuse.

LD 882 An Act To Amend the Laws Governing Confidentiality of Health Care Information To Enhance Public Safety

PUBLIC 289

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRAVEN GATTINE	OTP-AM	S-264

Current law permits health care practitioners or facilities to provide private health care information to law enforcement officials and other governmental entities in order to protect public health and welfare when reporting is authorized by law and when reporting a suspected crime against them or a crime they believe occurred on their premises. Federal regulations permit disclosure of private health care information when, in the health care practitioner's judgment, disclosure is necessary to avert a serious threat to the health or safety of others under conditions prescribed by the regulations.

This bill makes Maine law consistent with federal regulations and preserves a practitioner's ability to report private health care information to law enforcement officials and other governmental entities in order to protect public health and welfare when reporting is authorized by law while expanding permitted disclosure in other cases when necessary to avert a threat to the health or safety of others.

Committee Amendment "A" (S-264)

This amendment replaces the bill. This amendment clarifies the language of the bill that allows disclosure of