

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

STAFF:

JANE ORBETON, SENIOR ANALYST
ANNA BROOME, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
&
CHRISTOPHER NOLAN
OFFICE OF FISCAL AND PROGRAM REVIEW
5 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1635

MEMBERS:

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SEN. COLLEEN M. LACHOWICZ
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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

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

Joint Standing Committee on Health and Human Services

protected health information to appropriate persons, law enforcement officials and other governmental entities in accordance with federal law and regulation.

Enacted Law Summary

Public Law 2013, chapter 289 allows disclosure of protected health information to appropriate persons, law enforcement officials and other governmental entities in accordance with federal law and regulation.

**LD 886 Resolve, Regarding Legislative Review of Portions of Chapter 270:
Uniform Reporting System for Quality Data Sets, a Major Substantive
Rule of the Maine Health Data Organization **RESOLVE 54
EMERGENCY****

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-411

This resolve provides for legislative review of portions of Chapter 270: Uniform Reporting System for Quality Data Sets, a major substantive rule of the Maine Health Data Organization.

Committee Amendment "A" (H-411)

This amendment requires a number of technical changes, additions and deletions to Chapter 270: Uniform Reporting System for Quality Data Sets, a major substantive rule of the Maine Health Data Organization. These changes, additions and deletions are made at the request of the Maine Health Data Organization.

Enacted Law Summary

Resolve 2013, chapter 54 approves the amendments to Maine Health Data Organization Rule Chapter 270. The resolve also requires a number of technical changes, additions and deletions to Chapter 270.

Resolve 2013, chapter 54 was finally passed as an emergency measure effective June 14, 2013.

**LD 892 An Act Regarding Municipal General Assistance **ACCEPTED
MAJORITY
(ONTP) REPORT****

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASON G WILLETTE	ONTP OTP-AM	

This bill makes individuals who have reached the 60-month lifetime limit for benefits under the Temporary Assistance for Needy Families program or who have had benefits fully terminated for noncompliance with the requirements of the program ineligible for municipal general assistance.

Committee Amendment "A" (S-288)

This amendment, which is the minority report of the committee, adds an appropriations and allocations section.