

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

The law requires electronic copies of medical records to be made available if electronic copies are reasonably possible, allows charges for reasonable costs of staff time and necessary costs for supplies and postage and imposes a cap of \$150 on the total charge. The law prohibits a health care practitioner or hospital, when charging for an electronic copy of a medical record, from charging a retrieval fee or for the costs of new technology, maintenance of the electronic record system, data access or storage infrastructure. See also LD 23.

LD 1538 Resolve, To Establish a Task Force on Poverty and Personal Responsibility ONTP

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

This resolve is a concept draft pursuant to Joint Rule 208. This resolve proposes to establish a task force to study poverty and personal responsibility and report its findings and recommendations to the Legislature.

LD 1552 Resolve, To Require the Department of Health and Human Services To Initiate a New Rate-setting Procedure for Preschool Services for Children with Disabilities under the MaineCare Program CARRIED OVER

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

This resolve requires the Department of Health and Human Services to initiate a rate-setting procedure for coverage under the MaineCare program of in-home and classroom-related preschool services for children with disabilities under the rules of the MaineCare program in Chapter 101, Chapter II, Section 28.

This resolve was 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 1556 Resolve, To Establish the Study Group To Examine the Issue of Medicaid Expansion DIED ON ADJOURNMENT

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

This resolve establishes the Study Group To Examine the Issue of Medicaid Expansion to examine the issues associated with expanding Medicaid eligibility pursuant to the federal Patient Protection and Affordable Care Act.

LD 1556 was not reported out of committee. The bill died in committee upon adjournment.

LD 1574 Resolve, Establishing the Commission To Study the Incidence of and Mortality Related to Cancer RESOLVE 77 EMERGENCY

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

Joint Standing Committee on Health and Human Services

This bill was acted upon without reference to committee.

This resolve creates the Commission To Study the Incidence of and Mortality Related to Cancer. This resolve incorporates the provisions of Legislative Document 1032 of the 126th Legislature but with the following changes. It:

1. Reduces the number of Legislators on the commission to 5;
2. Provides that the Director of the Maine Center for Disease Control and Prevention or the director's designee serves on the committee and is not appointed by the President of the Senate;
3. Reduces the number of authorized meetings to 4;
4. Provides that 50% of the funding for the committee comes from outside sources; and
5. Adds an emergency preamble and emergency clause.

Enacted Law Summary

Resolve 2013, chapter 77 establishes the Commission To Study the Incidence of and Mortality Related to Cancer. The commission consists of no more than 11 members: 2 Senators, 3 Representatives, the Director of the Maine Center for Disease Control and Prevention or the director's designee and 5 members of the public. The commission is directed gather information and data from public and private entities related to the incidence of and mortality from cancer. The resolve directs state agencies to provide information and data to the commission as necessary for its work, within existing resources. The commission is required to report no later than December 4, 2013, to the Joint Standing Committee on Health and Human Services and to include its findings and recommendations. The commission is required to seek funding contributions to fund 50% of the costs of the study.

Resolve 2013, chapter 77 was finally passed as an emergency measure effective July 16, 2013.