

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON HEALTH AND
HUMAN SERVICES**

August 2015

STAFF:

ANNA BROOME, LEGISLATIVE ANALYST
MICHAEL O'BRIEN, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

AND

LUKE LAZURE, LEGISLATIVE ANALYST
OFFICE OF FISCAL AND PROGRAM REVIEW
5 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1635

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STATE OF MAINE

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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 127th 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. An appendix provides a summary of relevant session statistics.

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 127th Legislature is October 15, 2015. 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

House Amendment "A" (H-468)

This amendment provides that the result of an individual written screening questionnaire is exempt from the Freedom of Access Act, along with the result of an individual drug test as specified in the bill. This amendment allows the Department of Health and Human Services to release the aggregate data related to the results of screening questionnaires and drug tests. This amendment was drafted in response to a public records exception review, by the Judiciary Committee, of Committee Amendment "A".

LD 1412	An Act To Fund a Training Partnership between Riverview Psychiatric Center and the University of Maine at Augusta	CARRIED OVER
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EVES KATZ	OTP-AM	H-332

This bill provides a one-time General Fund appropriation of \$500,000 in fiscal years 2015-16 and 2016-17 for Riverview Psychiatric Center to contract with the University of Maine at Augusta to provide training and educational opportunities for its staff.

Committee Amendment "A" (H-332)

This amendment changes the appropriation in the bill for Riverview Psychiatric Center in both fiscal years from \$500,000 to \$250,000.

This bill was carried over on the Special Appropriations Table to any special or regular session of the 127th Legislature by joint order, S.P. 555.

LD 1426	An Act Regarding the Maine Registry of Certified Nursing Assistants and Direct Care Workers	PUBLIC 196
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ESPLING	OTP-AM	H-342

This bill amends the Maine Registry of Certified Nursing Assistants and Direct Care Workers in the following ways.

1. It clarifies the circumstances under which a person employed as a direct care worker is listed on the registry.
2. It amends the requirements for listing certified nursing assistants and direct care workers.
3. It requires employers to verify that an individual listed on the registry is eligible for employment as a certified nursing assistant or direct care worker.
4. It consolidates information and aligns language used across programs based on federal and state laws related to background checks, disqualifying offenses, prohibited employment, criminal convictions and substantiated findings related to complaints of abuse, neglect or misappropriation of property.
5. It describes the process of identifying the disqualifying offenses that adversely affect an individual's eligibility for employment as a certified nursing assistant or direct care worker.
6. It establishes the department's authority to adopt eligibility for listing on the registry and other requirements by rule.