

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Change the Maine HIV Advisory Committee

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 5 MRSA §19202, sub-§1-A, as enacted by PL 1999, c. 390, §2 and affected by §10, is repealed.

Sec. 2. 5 MRSA §19202, sub-§1-B is enacted to read:

1-B. Duties. The Maine HIV Advisory Committee as established in section 12004-I, subsection 42 and referred to in this section as "the committee," on behalf of those individuals infected by, at risk for or affected by the human immunodeficiency virus, referred to in this section as "HIV," in the State, shall:

- A. Advise the Office of the Governor and state, federal and private sector agencies, officials and committees on HIV-related and AIDS-related policy, planning or rules;
- B. Make an annual assessment of emerging HIV-related issues and trends;
- C. Make an annual assessment of budget proposals at state agencies related to HIV;
- D. Initiate and respond to legislation, both state and federal; and
- E. Prepare and present, in person, an annual report on the status of HIV in the State to the Office of the Governor and the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 15th of each year.

Sec. 3. 5 MRSA §19202, sub-§2-A, ¶C, as enacted by PL 1999, c. 390, §4 and affected by §10 and amended by PL 2003, c. 689, Pt. B, §§6 and 7, is further amended to read:

C. The membership consists of the following:

- (1) Two members of the Legislature, one Senator appointed by the President of the Senate and one Representative appointed by the Speaker of the House of Representatives;
- (2) Four representatives of entities serving persons infected with HIV or affected by HIV, chosen by the membership committee from nominations provided by the following:
 - (a) A representative of the Department of Health and Human Services, Bureau of Health, HIV/STD program, nominated by the Commissioner of Health and Human Services;

(b) A representative of the office managing the funds under the federal Ryan White Comprehensive AIDS Resources Emergency Act of 1990, 104 Stat. 576 (1990), as amended, in the Department of Health and Human Services, Auditing, Contracting and Licensing Service Center, nominated by the Commissioner of Health and Human Services;

(c) A representative of the Department of Health and Human Services, Office of Substance Abuse, nominated by the Commissioner of Health and Human Services;

(d) A representative of the Department of Education, nominated by the Commissioner of Education;

(e) A representative of the Department of Corrections, nominated by the Commissioner of Corrections; and

(f) A representative of the Department of Public Safety, nominated by the Commissioner of Public Safety;

(3) Three representatives of persons with HIV or at risk for HIV infection or from organizations with extensive participation of persons with HIV, chosen by the membership committee from nominations provided by organizations interested in and working on HIV/AIDS prevention and health, other community-based organizations providing HIV/AIDS services, rural health centers and the public;

(4) Four health care practitioners involved with HIV/AIDS treatment and care issues, chosen by the membership committee from nominations provided by professional organizations representing allopathic and osteopathic physicians, nurses, dentists, hospitals, infection control practitioners, pharmacists and rural health centers;

(5) Four providers of other services to persons at increased risk for HIV infection or persons with HIV to be chosen by the membership committee from the following:

(a) A provider of services to homeless persons, nominated by a statewide organization of providers of services to the homeless;

(b) A provider of services to high-risk youth and injection drug users and a provider of mental health or developmental disabilities services, nominated by a statewide organization of providers of such services;

(c) A provider of services to persons with hemophilia, nominated by statewide organizations concerned with hemophilia; and

(d) A provider of services to persons with HIV, nominated by a statewide organization concerned with HIV; and

(6) Four persons representing interests related to HIV, HIV prevention or HIV policy, to be chosen by the membership committee from the following:

(a) Representatives of statewide organizations concerned with family planning, public health, HIV prevention and treatment, organized labor, clergy, ~~funeral directors~~, civil rights and disability rights, nominated by those organizations;

(b) A representative of families with school-aged children, nominated by members of the public; and

(c) A representative of the Maine Human Rights Commission.

Sec. 4. 5 MRSA §19202, sub-§4, as amended by PL 1999, c. 390, §7 and affected by §10, is further amended to read:

4. Meetings. The committee shall meet at least 4 times a year and more frequently if needed to respond to the duties of this committee as specified in subsection ~~1-A1-B~~. Special meetings may be called by the chair and must be called at the request of the State Epidemiologist, the Director of the Bureau of Health, the Director of Disease Control, the Director of Sexually Transmitted Diseases or by 3 or more members of the committee.

SUMMARY

This bill adjusts the statutory duties of the Maine HIV Advisory Committee to ensure that its activities are performed on behalf of those individuals in the State who are infected by, at risk for or affected by HIV and to provide a more proactive role for the committee regarding issues surrounding HIV.

This bill removes funeral directors from the list of representatives that may be chosen to be on the Maine HIV Advisory Committee.