

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

FIRST REGULAR SESSION
December 7, 2016 to August 2, 2017

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
NOVEMBER 1, 2017

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2017

8. Repeal. This section is repealed January 1, 2024.

Sec. 9. 24-A MRSA §4318-B is enacted to read:

§4318-B. Access to lower-priced services

1. Services from out-of-network provider; lower prices. Beginning January 1, 2019, if an enrollee covered under a health plan other than a health maintenance organization plan elects to obtain a covered comparable health care service as defined in section 4318-A, subsection 1, paragraph A from an out-of-network provider at a price that is the same or less than the statewide average for the same covered health care service based on data reported on the publicly accessible health care costs website of the Maine Health Data Organization, the carrier shall allow the enrollee to obtain the service from the out-of-network provider at the provider's charge and, upon request by the enrollee, shall apply the payments made by the enrollee for that comparable health care service toward the enrollee's deductible and out-of-pocket maximum as specified in the enrollee's health plan as if the health care services had been provided by an in-network provider. A carrier may use the average price paid to a network provider for the covered comparable health care service under the enrollee's health plan in lieu of the statewide average price on the Maine Health Data Organization's publicly accessible website as long as the carrier uses a reasonable method to calculate the average price paid and the information is available to enrollees through a website accessible to the enrollee and a toll-free telephone number that provide, at a minimum, information relating to comparable health care services. The enrollee is responsible for demonstrating to the carrier that payments made by the enrollee to the out-of-network provider should be applied toward the enrollee's deductible or out-of-pocket maximum pursuant to this section. The carrier shall provide a downloadable or interactive online form to the enrollee for the purpose of making such a demonstration and may require that copies of bills and proof of payment be submitted by the enrollee. For the purposes of this section, "out-of-network provider" means a provider located in Massachusetts, New Hampshire or this State that is enrolled in the MaineCare program and participates in Medicare.

2. Rules. The superintendent may adopt rules as necessary to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

3. Repeal. This section is repealed January 1, 2024.

See title page for effective date.

CHAPTER 233

H.P. 755 - L.D. 1077

An Act To Reduce the License Fee for High-stakes Beano

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

Sec. 1. 17 MRSA §314-A, sub-§4, as amended by PL 2015, c. 24, §1 and affected by §2, is further amended to read:

4. Term of license; fees. A license issued under this section is valid for a period of one year. The annual license fee for a high-stakes beano license is ~~\$50,000, except that the annual license fee due in 2008 to 2016 is \$25,000~~ **\$5,000**. License fees may be paid in advance in quarterly installments. All license fees must be paid to the Treasurer of State to be credited to the General Fund.

Sec. 2. High-stakes beano license reduction. Notwithstanding the Maine Revised Statutes, Title 17, section 314-A, subsection 4, a unit within the Department of Public Safety tasked with collecting fees for the conduct of high-stakes beano may not collect an amount totaling greater than \$5,000 in calendar year 2017 from any one federally recognized Indian tribe in the State eligible to conduct high-stakes beano.

See title page for effective date.

CHAPTER 234

S.P. 454 - L.D. 1340

An Act To Amend the Laws Governing the Maine State Housing Authority

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

Sec. 1. 5 MRSA §1742, sub-§23, ¶D, as amended by PL 1989, c. 502, Pt. A, §16, is further amended to read:

D. The department shall work closely with the Maine State Housing Authority to develop a procedure by which surplus state-owned land and structures are held in trust for the purpose set forth in this section and Title 30-A, chapter 201, ~~sub-chapters III A and XI~~ subchapter 3-A;

Sec. 2. 10 MRSA §363, sub-§11, as amended by PL 1999, c. 728, §8, is repealed.

Sec. 3. 30-A MRSA §4702, sub-§1, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read: