

MAINE STATE LEGISLATURE

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STATE OF MAINE
119TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
BANKING AND INSURANCE

JULY 2000

MEMBERS:

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Sen. I. Joel Abromson

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ONE HUNDRED NINETEENTH LEGISLATURE
SECOND REGULAR SESSION

Summary Of Legislation Before The Joint Standing Committees
July 2000

We are pleased to provide this summary of bills that were considered by the Joint Standing and Select Committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing and select committees.

The document is organized for convenient reference to information on bills considered by the committees. It is organized by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

- CON RES XXX*..... Chapter # of Constitutional Resolution passed by both Houses
- CONF CMTE UNABLE TO AGREE*..... Committee of Conference unable to agree; bill died
- DIED BETWEEN BODIES*..... House & Senate disagree; bill died
- DIED IN CONCURRENCE*..... One body accepts ONTP report; the other indefinitely postpones the bill
- DIED ON ADJOURNMENT*..... Action incomplete when session ended; bill died
- EMERGENCY*..... Enacted law takes effect sooner than 90 days
- FAILED EMERGENCY ENACTMENT/FINAL PASSAGE*..... Emergency bill failed to get 2/3 vote
- FAILED ENACTMENT/FINAL PASSAGE*..... Bill failed to get majority vote
- FAILED MANDATE ENACTMENT*..... Bill imposing local mandate failed to get 2/3 vote
- NOT PROPERLY BEFORE THE BODY*..... Ruled out of order by the presiding officers; bill died
- INDEF PP*..... Bill Indefinitely Postponed
- ONTP*..... Ought Not To Pass report accepted
- OTP ND*..... Committee report Ought To Pass In New Draft
- OTP ND/NT*..... Committee report Ought To Pass In New Draft/New Title
- P&S XXX*..... Chapter # of enacted Private & Special Law
- PUBLIC XXX*..... Chapter # of enacted Public Law
- RESOLVE XXX*..... Chapter # of finally passed Resolve
- UNSIGNED*..... Bill held by Governor
- VETO SUSTAINED*..... Legislature failed to override Governor's Veto

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is August 11, 2000.

David E. Boulter, Director
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LD 2138

An Act to Permit the Transfer of Liabilities by a Member of a Workers' Compensation Group Self-insurer

ONTP

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

LD 2138, which was carried over from the First Regular Session, proposed to enable a member of a workers' compensation self-insured group to withdraw from the group with the approval of the group by insuring the departing member's own liabilities arising from that member's own claims that would otherwise remain the responsibility of the group. It further would authorize the Superintendent of Insurance to approve insurance policy endorsements that would accomplish this.

LD 2225

An Act to Permit Certain Referrals by Health Care Practitioners

**PUBLIC 553
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAXL M	OTP-AM	H-786

Current law prohibits a health care practitioner from referring a patient to another facility in which the practitioner holds an interest unless the practitioner will be personally responsible for the provision of care to that patient. LD 2225 proposed to allow the referral to another office or group of health care practitioners, regardless of whether the referring physician holds an investment interest in that office or group.

Committee Amendment "A" (H-786) proposed to allow a health care practitioner to refer patients to another health care practitioner in a group practice or health care facility in which the referring health care practitioner has invested when there is a demonstrated need for the facility in the community. The amendment specifies that demonstrated need for the facility exists when the quality of health care services in the community would be improved, such as when the facility provides new specialty or subspecialty services.

The amendment also added a fiscal note to the bill.

Enacted law summary

Public Law 1999, chapter 553 removes the prohibition on a health care practitioner from referring a patient to another facility in which that practitioner holds a financial interest to allow a practitioner to refer patients to another health care practitioner in a group practice or health care facility in which the referring practitioner has invested when there is a demonstrated need for the facility in the community.

Public Law 1999, chapter 533 was enacted as an emergency effective March 15, 2000.