

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

*First Regular Session and
First Special Session*

Bill Summaries

*Joint Standing Committee
on
Insurance and Financial Services*

August 2005

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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:

- CARRIED OVER Bill Carried Over to Second Regular Session
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 First Regular Session (unless otherwise specified in a particular law) is June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

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The bill would apply to all policies, contracts and certificates issued or renewed on or after January 1, 2006.

LD 229 **Resolve, Directing the Department of Health and Human Services
To Report on Certain MaineCare Practices** **RESOLVE 9**

<u>Sponsor(s)</u> SNOWE-MELLO GLYNN		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-64
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LD 229 proposed to direct the Department of Health and Human Services and the Bureau of Insurance to provide a report to the Joint Standing Committee on Insurance and Financial Services regarding the Private Health Insurance Premium Program, including information on the purchase of insurance for persons enrolled in the MaineCare program, costs and savings to the MaineCare program and premium revenues and expenses for claims of the health insurance carriers providing coverage. The resolve proposed to direct health insurance carriers providing coverage under the Private Health Insurance Premium Program to cooperate with the department.

Committee Amendment "A" (S-64) replaced the resolve. It proposed to eliminate the role of the Department of Professional and Financial Regulation, Bureau of Insurance in the required report, add specific information that must be included in the report and require that the Department of Health and Human Services provide the report to both the Joint Standing Committee on Insurance and Financial Services and the Joint Standing Committee on Health and Human Services.

Enacted law summary

Resolve 2005, chapter 9 directs the Department of Health and Human Services to provide a report to the Joint Standing Committees on Insurance and Financial Services and Health and Human Services regarding the Private Health Insurance Premium Program, a program authorized under federal law that permits the State's MaineCare program to purchase private insurance coverage for persons enrolled in MaineCare. The resolve requires that the report include information on the purchase of insurance for persons enrolled in the MaineCare program, the costs and savings to the MaineCare program and the premium revenues and expenses for claims of the health insurance carriers providing coverage. The resolve directs health insurance carriers providing coverage under the Private Health Insurance Premium Program to cooperate with the department.

LD 237 **An Act To Establish a Minimum Amount for Required Interest
Payments by Insurers** **PUBLIC 50**

<u>Sponsor(s)</u> PERRY A		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-43
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LD 237 proposed to establish a minimum dollar amount of interest payable to health care providers under the Maine Revised Statutes, Title 24-A, section 2436 before interest payments must be sent.

Committee Amendment "A" (H-43) replaced the substance of the bill. The amendment proposed to require the Superintendent of Insurance to adopt rules to establish a minimum amount of interest payable to health care

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providers on an overdue undisputed claim before interest payments must be sent pursuant to the Maine Revised Statutes, Title 24-A, section 2436.

Enacted law summary

Public Law 2005, chapter 50 requires the Superintendent of Insurance to adopt rules to establish a minimum amount of interest payable to health care providers on an overdue undisputed claim before interest payments must be sent pursuant to the Maine Revised Statutes, Title 24-A, section 2436.

LD 238 **An Act To Amend the Insurance Code Regarding Discontinuance of a Line of Business** **PUBLIC 49**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERRY A	OTP-AM	H-44

LD 238 proposed to amend the provisions relating to a discontinuance of a line of business to allow the Superintendent of Insurance to authorize an insurer to nonrenew a line of business if the insurer demonstrates that there is competition in that line of business.

Committee Amendment "A" (H-44) replaced the bill. The amendment proposed to allow the Superintendent of Insurance to authorize an insurer to discontinue a line of business if the insurer demonstrates the availability of substantially similar coverage in the admitted market.

Enacted law summary

Public Law 2005, chapter 49 amends the provisions relating to a discontinuance of a line of business to allow the Superintendent of Insurance to authorize an insurer to nonrenew a line of business if the insurer demonstrates the availability of substantially similar coverage in the admitted market from other insurers.

LD 269 **An Act To Reduce the Minimum Participation Requirements of Insurance Carriers** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PLOWMAN	ONTP MAJ	
GLYNN	OTP-AM MIN	

Under current law, for purposes of guaranteed renewal, health insurance carriers are permitted to impose minimum participation requirements that may not exceed 75%. LD 269 proposed to reduce the minimum participation requirement to 60%.

Committee Amendment "A" (S-73) is the minority report of the committee and replaced the substance of the bill. The amendment proposed to reduce the minimum participation requirement for small groups with 10 or fewer members to 70% upon renewal of a small group policy. The 75% minimum participation requirement at the time of issuance of the policy remains unchanged. Committee Amendment "A" was not adopted.