

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
FIRST REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON INSURANCE AND
FINANCIAL SERVICES**

July 2013

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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 126th 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. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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 126th Legislature is October 9, 2013. 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 Insurance and Financial Services

LD 648

**An Act To Make Records of External Review Proceedings Overseen by
the Bureau of Insurance Confidential**

PUBLIC 274

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRATWICK TREAT	OTP-AM	S-113

This bill protects the confidentiality of records of external review proceedings arranged by the Department of Professional and Financial Regulation, Bureau of Insurance concerning an insurance carrier's adverse health care treatment decision.

Committee Amendment "A" (S-113)

This amendment replaces the bill. The amendment protects the confidentiality of records of an external review proceeding arranged by the Department of Professional and Financial Regulation, Bureau of Insurance concerning an insurance carrier's adverse health care treatment decision, but gives parties to an external review proceeding the right to obtain a transcript or recording of the external review hearing and a copy of any evidence. The amendment also requires the Superintendent of Insurance to disseminate aggregate information relating to external review decisions to the Legislature and the public on an annual basis.

Enacted Law Summary

Public Law 2013, chapter 274 protects the confidentiality of records of an external review proceeding arranged by the Department of Professional and Financial Regulation, Bureau of Insurance concerning an insurance carrier's adverse health care treatment decision, but gives parties to an external review proceeding the right to obtain a transcript or recording of the external review hearing and a copy of any evidence. The law also requires the Superintendent of Insurance to disseminate aggregate information relating to external review decisions to the Legislature and the public on an annual basis.

LD 651 An Act To Amend the Captive Insurance Laws

**LEAVE TO
WITHDRAW**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING MCCLELLAN		

This bill provides that the joint and several liability for a bank, municipality or hospital that is a member of an association captive insurance company is limited to an amount per year equal to the premium for the most recently completed annual insurance period or a greater amount as established by the association captive insurance company.

**LD 653 An Act To Remove an Unnecessary Provision in the Maine Insurance
Code**

PUBLIC 94

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FITZPATRICK WHITTEMORE	OTP	

This bill repeals a provision of the Maine Insurance Code that requires a carrier offering standardized Medicare supplement plans that include prescription drug coverage to allow an insured of that carrier who was formerly eligible for the low-cost drugs for the elderly or disabled program to purchase a plan with drug benefits from that