MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2006

Legislative Document

No. 1738

S.P. 655

In Senate, December 30, 2005

An Act To Amend the Laws Governing Ferry Service Travel for Individuals with Catastrophic Illness

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 28, 2005. Referred to the Committee on Transportation pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator SAVAGE of Knox. Cosponsored by Representative MAZUREK of Rockland.

	Emergency preamble. Whereas, acts of the Legislature do not
2	become effective until 90 days after adjournment unless enacted as emergencies; and
4	
6	Whereas, people living on islands who suffer from a catastrophic illness must travel to and from the mainland for
8	treatment; and
	Whereas, the Maine State Ferry Service is the only public
10	transportation available to many of these people; and
12	Whereas, this legislation provides free transportation to
14	those people to allow them to get to their medical appointments, alleviating some of their burden; and
16	Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of
18	Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and
20	safety; now, therefore,
22	Be it enacted by the People of the State of Maine as follows:
24	Sec. 1. 23 MRSA §4407 is enacted to read:
24 26	Sec. 1. 23 MRSA §4407 is enacted to read: §4407. Free nonemergency transportation services for catastrophic medical reasons
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D. "Unforeseen, prolonged and extended illness or medical condition" means a severe illness or medical condition of a life-threatening nature, the treatment of which is expected to require a series of procedures or therapeutic interventions at regular intervals extending over a period of months, including, but not limited to, cancer requiring chemotherapy or radiation treatments or kidney disease requiring dialysis treatments.

2. Eligibility. Residents of the island communities served by the Maine State Ferry Service are eligible for free transportation services when traveling to and from regularly scheduled, medically necessary appointments with medical care providers if those appointments pertain to a catastrophic illness. Free transportation services under this section are not available for routine visits to medical care providers or to meet transportation needs arising from an emergency, medical or otherwise. Free transportation services under this section are available only upon approved application. Reimbursement of expenses incurred prior to application for services pursuant to this section is prohibited.

3. Rulemaking authorized. The Maine State Ferry Service may, pursuant to the Maine Administrative Procedure Act, adopt rules necessary to interpret and administer this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. The ferry service also may develop, adopt, use and from time to time amend forms for use in connection with the administration of this section. The development, adoption, use and amendment of these forms is exempt from the rule-making process.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

SUMMARY

This bill allows residents of the island communities served by the Maine State Ferry Service free transportation services when traveling to and from regularly scheduled, medically necessary appointments with medical care providers on the mainland if these appointments pertain to a catastrophic illness.