

MAINE STATE LEGISLATURE

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L.D. 1709

Date: 2/12/10

(Filing No. H-632)

INSURANCE AND FINANCIAL SERVICES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
124TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1210, L.D. 1709, Bill, "An Act Concerning the Use of Long-term Antibiotics for the Treatment of Lyme Disease"

Amend the bill by striking out the title and substituting the following:

'An Act To Enhance Public Awareness of Lyme Disease'

Amend the bill by inserting after the title and before the enacting clause the following:

'Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Department of Health and Human Services, Maine Center for Disease Control and Prevention reports that in 2008 and 2009 there were over 900 confirmed cases of Lyme disease in the State and the United States Department of Health and Human Services, Centers for Disease Control and Prevention indicates that the actual incidence of Lyme disease is approximately 10 times the amount reported; and

Whereas, this Act designates the month of May as Lyme Disease Awareness Month to raise public awareness and improve education for the prevention, diagnosis and treatment of Lyme disease; and

Whereas, immediate enactment is necessary so that public awareness and education efforts related to Lyme disease and other tick-borne illnesses are conducted throughout the State this May; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 1 MRSA §150-E is enacted to read:

COMMITTEE AMENDMENT

1 §150-E. Lyme Disease Awareness Month

2 The month of May of each year is designated as Lyme Disease Awareness Month,
3 and the Governor shall annually issue a proclamation inviting and urging the people of
4 the State to observe the month through appropriate activities. During the month, the
5 Department of Health and Human Services, Maine Center for Disease Control and
6 Prevention shall make information available to the public to improve education and
7 awareness about the prevention, diagnosis and treatment of Lyme disease that is
8 consistent with the recommendations of the United States Department of Health and
9 Human Services.

10 **Sec. 2. 22 MRSA §1645, sub-§1, ¶B,** as enacted by PL 2007, c. 561, §1, is
11 amended to read:

12 B. The diagnosis and treatment guidelines for Lyme disease recommended by the
13 Maine Center for Disease Control and Prevention and the federal United States
14 Department of Health and Human Services, Centers for Disease Control and
15 Prevention;

16 **Sec. 3. 22 MRSA §1645, sub-§1, ¶C,** as enacted by PL 2007, c. 561, §1, is
17 amended to read:

18 C. A summary or bibliography of peer-reviewed medical literature and studies
19 related to the diagnosis, medical management and the treatment of Lyme disease and
20 other tick-borne illnesses, including, but not limited to, the recognition of chronic
21 Lyme disease and the use of long-term antibiotic treatment;

22 **Sec. 4. 22 MRSA §1645, sub-§3** is enacted to read:

23 **3. Publicly accessible website.** The Maine Center for Disease Control and
24 Prevention shall maintain a publicly accessible website to provide public awareness and
25 education on Lyme disease and other tick-borne illnesses. The website must provide
26 information on the prevention, diagnosis and treatment of Lyme disease and other tick-
27 borne illnesses for use by health care providers and the public, including, but not limited
28 to, links to resources made available and recommended by the United States Department
29 of Health and Human Services.

30 **Sec. 5. 24-A MRSA §4302, sub-§5,** as enacted by PL 2007, c. 561, §2, is
31 amended to read:

32 **5. Annual report; claims for diagnosis and treatment of Lyme disease and other**
33 **tick-borne illnesses.** By February 1st of each year, all carriers shall file with the
34 superintendent for the most recent calendar year for all covered individuals in the State
35 the total claims made for the diagnosis and treatment of Lyme disease and other tick-
36 borne illnesses. The filing must include information on the number of claims made for the
37 diagnosis and treatment of Lyme disease and other tick-borne illnesses, the total dollar
38 amount of those claims, the number of claim denials and the reasons for those denials, the
39 number and outcome of internal appeals and the number of external appeals related to the
40 diagnosis and treatment of Lyme disease and other tick-borne illnesses. The
41 superintendent shall compile from all carriers this data in an annual report and submit the
42 report by March 15th of each year to the joint standing committee of the Legislature
43 having jurisdiction over health insurance matters. The superintendent shall consult with

1 the Department of Health and Human Services, Maine Center for Disease Control and
2 Prevention to determine any additional information to be collected from carriers,
3 beginning with data for calendar year 2011.

4 **Emergency clause.** In view of the emergency cited in the preamble, this
5 legislation takes effect when approved.

6 **SUMMARY**

7 This amendment replaces the bill. The amendment does the following.

8 1. It establishes the month of May as Lyme Disease Awareness Month. It also
9 directs the Department of Health and Human Services, Maine Center for Disease Control
10 and Prevention to make appropriate information available to the public to improve
11 education and awareness about the prevention, diagnosis and treatment of Lyme disease.

12 2. It clarifies the annual reporting requirements on Lyme disease and other tick-
13 borne illnesses to include information on diagnosis as well as treatment. It also requires
14 the Maine Center for Disease Control and Prevention to maintain a publicly accessible
15 website to provide public awareness and education on Lyme disease and other tick-borne
16 illnesses, including links to resources made available and recommended by the United
17 States Department of Health and Human Services.

18 3. It requires health insurers to report claims data related to Lyme disease diagnosis
19 as well as treatment.

20 4. It adds an emergency preamble and emergency clause.

FISCAL NOTE REQUIRED
(See attached)



124th MAINE LEGISLATURE

LD 1709

LR 2125(02)

An Act Concerning the Use of Long-term Antibiotics for the Treatment of Lyme Disease

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Insurance and Financial Services

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Additional costs for the Maine Center for Disease Control and Prevention in the Department of Health and Human Services can be absorbed by the center utilizing existing budgeted resources.