

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Sixth Legislature
1ST SPECIAL SESSION
JANUARY 2, 1974 TO MARCH 29, 1974
AND BY THE
One Hundred and Seventh Legislature
REGULAR SESSION
JANUARY 1, 1975 TO JULY 2, 1975

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH THE REVISED STATUTES OF 1964, TITLE 3,
SECTION 164, SUBSECTION 6.

THE KNOWLTON AND MCLEARY COMPANY
FARMINGTON, MAINE
1975

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
One Hundred and Seventh Legislature

1975

§ 4304. Duties

The board shall advise the Department of Transportation on matters relating to the Maine State Ferry Service and shall submit to the Commissioner of Transportation an annual report which shall include recommendations for change to the Maine State Ferry Service and comments upon the present and future needs of that service. Written reports and comments shall be available to the public.

§ 4305. Staff support

The Department of Transportation shall supply reasonable staff support requested by the board.

Sec. 5. Transition. Of the initial members appointed to the board, $\frac{1}{2}$ shall serve for a term of one year and $\frac{1}{2}$ shall serve for a term of 2 years. The Commissioner of Transportation shall, within 2 weeks of the effective date of this Act, select by lot which municipalities or plantations shall appoint a member for one year and which municipalities or plantations shall appoint a member for 2 years. After expiration of the initial term of any member of the board, any appointment to the membership shall be for a term of 2 years.

Effective October 1, 1975

CHAPTER 581

AN ACT Relating to the Freedom of Subscribers to Hospital, Medical Service or Health Care Plans to Choose a Psychologist to Provide Mental Health Services.

Be it enacted by the People of the State of Maine, as follows:

24 MRSA § 2303, as amended by PL 1969, c. 419, § 2, is repealed and the following enacted in place thereof:

§ 2303. Mental health services

1. Such corporation mentioned in section 2301 may enter into contracts for the rendering of health care to the subscribers only with institutions or persons licensed by the appropriate departments or boards of the several states. All contracts for the provision of health care issued by such corporation shall constitute direct obligations of the provider of health care with which such corporation has contracted for such care. Contracts issued under a health care plan shall provide that the private provider-patient relationship shall exist between the patient and provider of health care, that the patient shall have a free choice of any provider of health care able and willing to provide such services, all of which shall be based upon definite agreements covering health care provided through duly licensed providers, and any such provider of health care shall be free to refuse service for appropriate professional reasons. Nothing in this section shall be construed to prohibit reciprocal arrangements for the exchange of health care between similar nonprofit hospital and medical service plans.

2. Notwithstanding any provision of a contract between a subscriber and a nonprofit hospital or medical service organization entered into pursuant to a hospital service plan, medical service plan or health care plan authorized

under this chapter, and notwithstanding any other provision of this chapter, whenever the contract provides for payment or reimbursement for mental health services, payment or reimbursement for the provision of these services shall not be denied because the services are provided by a contracting licensed psychologist who is trained and received a doctorate in psychology specializing in the evaluation and treatment of human behavior, acting within the scope of his or her license. Subject to approval by the Superintendent of Insurance pursuant to sections 2305 and 2316, a nonprofit hospital or medical service organization incorporated under this chapter shall offer contracts to psychologists licensed pursuant to Title 32, section 3831, subsection 2, authorizing the provision of mental health services by psychologists within the scope of this licensure, if the nonprofit hospital or medical service organization provides mental health services in contracts with subscribers. This subsection shall apply to all contracts between a subscriber and a nonprofit hospital or medical service organization entered into or renewed after January 1, 1976.

3. Nothing in subsection 2 shall be construed to require a nonprofit hospital or medical service organization to provide contract coverage for mental health services.

Effective October 1, 1975

CHAPTER 582

AN ACT to Extend the Provisions of the Energy Emergency Proclamation.

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

Whereas, the authority conferred under the Revised Statutes, Title 37-A, section 57, subsection 2, Energy Emergency Proclamation, expired at midnight February 28, 1975; and

Whereas, in the absence of this authority the State's ability to respond to an actual or impending acute shortage of useable energy resources is severely restricted; and

Whereas, this legislation is necessary in order to restore and extend the authority relating to energy emergencies; 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,

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 37-A MRSA § 57, sub-§ 2, ¶ C, sub-¶ (2), first sentence, as enacted by PL 373, c. 757, § 2, is amended to read:

The enforcement powers granted in the 3rd and 4th paragraphs subsections 7 and 8 of section 59 and the enforcement powers granted in section 69, unless the Governor specifically invokes these powers by an order issued pursuant to an energy emergency proclamation and approved by a majority of the membership of the Legislative Council.