

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 1982 to June 24, 1983
Chapters 453-End

AND AT THE

FIRST SPECIAL SESSION
September 6, 1983 to September 7, 1983
Chapters 583-588

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

J.S. McCarthy Co., Inc.
Augusta, Maine
1983

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

CONTINUED

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

and the billing every 3 months thereafter.

B. All other services through long-term care facilities shall be arranged with the area agencies on aging and shall be prior approved for up to 3 months by the department. Providers shall bill area agencies on aging for services provided, with the area agencies on aging reimbursed in accordance with established procedures.

§6208. Report

Prior to January 31, 1985, the commissioner shall submit a report of the findings of this demonstration to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over health and institutional services.

Sec. 2. Appropriation. Any funds made available under this subtitle and not expended as allocated in the first year of the biennium shall be carried forward to the 2nd year. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	<u>1983-84</u>	<u>1984-85</u>
<u>Human Services, Department of</u>		
Bureau of Maine's Elderly		
Adult Day Care		
All Other	\$68,750	\$100,000

Effective September 23, 1983.

CHAPTER 546

H.P. 743 - L.D. 955

AN ACT to Extend Consumers Freedom of
Choice Regarding Insured Mental Health
Services.

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

Sec. 1. 24 MRSA §2303, sub-§2, as repealed and replaced by PL 1975, c. 581, is amended to read:

2. Mental health services provided by psychologists or certified social workers. 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, a contracting certified social worker licensed for the independent practice of social work in this State who has at least a masters degree in social work from an accredited educational institution and has been employed in social work for at least 2 years, or a contracting licensed nurse who is trained and has received a certificate as a clinical specialist in psychiatric and mental health nursing from the American Nurses' Association, acting within the scope of his or her license or certification. 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, certified social workers licensed for the independent practice of social work who have at least a masters degree in social work from an accredited educational institution and who have been employed in social work for at least 2 years, and licensed nurses who are certified by the American Nurses' Association as clinical specialists in adult psychiatric and mental health nursing or as clinical specialists in child and adolescent psychiatric and mental health nursing, authorizing the provision of mental health services by these psychologists, certified social workers and certified nurses within the scope of ~~this~~ their licensure or certification, if the nonprofit hospital or medical service organization provides mental health services in contracts with subscribers. ~~This~~ With respect to services provided by psychologists, this subsection ~~shall apply~~ applies to all contracts between the subscriber and a nonprofit hospital or medical service organization entered into or renewed after January 1, 1976. With respect to services provided by social workers and nurses, this subsection applies to all contracts between the subscriber and a nonprofit hospital or medical service organization entered into or renewed after January 1, 1984, and before January 1, 1988.

Sec. 2. 24-A MRSA §2744, as enacted by PL 1975, c. 770, §104, is amended to read:

§2744. Mental health services

1. Notwithstanding any provision of a health insurance policy subject to this chapter, whenever the policy provides for payment or reimbursement for services which are within the lawful scope of practice of a psychologist licensed to practice in this State, a certified social worker licensed for the independent practice of social work in this State who has at least a masters degree in social work from an accredited educational institution and has been employed in social work for at least 2 years, or a licensed nurse who is certified by the American Nurses' Association as a clinical specialist in adult psychiatric and mental health nursing, or as a clinical specialist in child and adolescent psychiatric and mental health nursing, any person covered by the policy shall be entitled to reimbursement for these services if the services are performed by a physician or, a psychologist licensed to practice in this State, a certified social worker licensed for the independent practice of social work who has at least a masters degree in social work from an accredited educational institution and who has been employed in social work for at least 2 years, or a licensed nurse certified by the American Nurses' Association as a clinical specialist in adult or child and adolescent psychiatric and mental health nursing. ~~This~~ With respect to services provided by physicians or psychologists, this section shall apply applies to all health insurance policies, contracts or certificates issued, renewed, modified, altered, amended or reissued on or after July 1, 1975. With respect to services provided by social workers and nurses, this section applies to all health insurance policies, contracts or certificates issued, renewed, modified, altered, amended or reissued on or after January 1, 1984, and before January 1, 1988.

2. Nothing in subsection 1 ~~shall~~ may be construed to require a health insurance policy subject to this chapter to provide for reimbursement of services which are within the lawful scope of practice of a psychologist licensed to practice in this State, a certified social worker licensed to practice in this State, or a certified nurse licensed to practice in this State.

Sec. 3. 24-A MRSA §2835, as amended by PL 1979, c. 541, Pt. A, §165, is further amended to read:

§2835. Mental health services

1. Notwithstanding any provision of a health insurance policy subject to this chapter, whenever the policy provides for payment or reimbursement for services which are within the lawful scope of practice of a psychologist licensed to practice in this State, a certified social worker licensed for the independent practice of social work in this State who has at least a masters degree in social work from an accredited educational institution and has been employed in social work for at least 2 years, or a licensed nurse who is certified by the American Nurses' Association as a clinical specialist in adult psychiatric and mental health nursing or as a clinical specialist in child and adolescent psychiatric and mental health nursing, any person covered by the policy shall be entitled to reimbursement for these services if the services are performed by a physician or, a psychologist licensed to practice in this State, a certified social worker licensed for independent practice in this State who has at least a masters degree in social work from an accredited educational institution and who has been employed in social work for at least 2 years, or a licensed nurse certified by the American Nurses' Association as a clinical specialist in adult or child and adolescent psychiatric and mental health nursing. This With respect to services provided by physicians or psychologists, this section shall apply applies to all health insurance policies, contracts or certificates issued, renewed, modified, altered, amended or reissued on or after April 16, 1976. With respect to services provided by social workers and nurses, this section applies to all health insurance policies, contracts or certificates issued, renewed, modified, altered, amended or reissued on or after January 1, 1984, and before January 1, 1988.

2. Nothing in subsection 1 ~~shall~~ may be construed to require a health insurance policy subject to this chapter to provide for reimbursement of services which are within the lawful scope of practice of a psychologist licensed to practice in this State, a certified social worker licensed to practice in this State, or a nurse certified and licensed to practice in this State.

Sec. 4. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1984-85

FINANCE AND ADMINISTRATION,
DEPARTMENT OF

Employee Group Health

1984-85

Insurance Plan

All Other \$43,680

Sec. 5. Allocation. The following funds are allocated from the Highway Fund to carry out the purposes of this Act.

1984-85

FINANCE AND ADMINISTRATION,
DEPARTMENT OF

Employee Group Health
Insurance Plan

All Other \$16,650

Effective September 23, 1983.

CHAPTER 547

S.P. 284 - L.D. 872

AN ACT to Promote Work-site High Blood Pressure Programs for Maine Workers.

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

Sec. 1. 22 MRSA c. 273 is enacted to read:

CHAPTER 273

HYPERTENSION

§1697. Work-site high blood pressure programs

The Bureau of Health shall establish work-site high blood pressure programs at work sites that have not previously been providing regular high blood pressure programs to their employees in order to screen all employees, detect and confirm those who have elevated blood pressures, refer those with elevations to physicians for diagnosis and treatment and continue contact through the year with employees to determine their progress toward blood pressure control. The bureau shall promote new work-site high blood pressure programs for workers, allocate funds for program operation and periodically evaluate program effectiveness. Any such screening program shall be voluntary for both employer and employee.