

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND NINETEENTH LEGISLATURE

FIRST REGULAR SESSION
December 2, 1998 to June 19, 1999

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 18, 1999

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1999

PART N

Sec. N-1. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1998-99**HUMAN SERVICES,
DEPARTMENT OF****Bureau of Elder and Adult
Services**

All Other	\$159,000
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Provides funds for homemaker services, adult day care and Alzheimer's respite care to reduce the number of persons on the waiting list.

**Long Term Care - Human
Services**

All Other	443,040
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Provides funds for home-based care to reduce the number of persons on the waiting list.

**DEPARTMENT OF HUMAN
SERVICES
TOTAL**

	\$602,040
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Sec. N-2. Plan submittal by Department of Human Services. The Commissioner of Human Services shall submit a plan to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Health and Human Services no later than February 1, 1999 that revises the cost-sharing requirements of the various home care programs funded by the Department of Human Services in a way that would ensure that persons with higher incomes would pay a proportionately higher share of the cost of the home care services they receive.

It is the intent of the Legislature that any rules implementing such a plan take effect no later than July 1, 1999. Rules adopted under this section to implement the plan are major substantive rules in accordance with the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A.

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

Effective February 18, 1999.

CHAPTER 5**S.P. 13 - L.D. 2****An Act to Clarify the Application of
Insurance Fraud Prevention Laws**

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

Whereas, it is imperative that the definition of insurance be clarified in the insurance fraud prevention laws; and

Whereas, the clarification should occur retroactively with the effective date of the provisions recommended by the Commission to Study Insurance Fraud as passed in Public Law 1997, chapter 675; 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. 24-A MRSA §2186, sub-§1, ¶B, as enacted by PL 1997, c. 675, §2, is amended to read:

B. "Insurer" means a an authorized insurance company, reinsurer, surplus lines insurer, unauthorized insurer, nonprofit hospital and medical service organization, health maintenance organization, risk retention group or multiple employer welfare organization. "Insurer" also includes an insurance producer or other person acting on the behalf of an insurer. For the purposes of this section, "insurer" also means the state Medicaid program.

Sec. 2. Retroactivity. This Act applies retroactively to June 30, 1998.

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

Effective March 11, 1999.