

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWENTIETH LEGISLATURE
FIRST REGULAR SESSION
December 6, 2000 to June 22, 2001

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 21, 2001

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
2001

C. Demonstrated through scientific evidence to be effective in improving health outcomes;

D. Representative of "best practices" in the medical profession; and

E. Not primarily for the convenience of the enrollee or physician or other health care practitioner.

Sec. 4. 24-A MRSA §4301-A, sub-§11, as enacted by PL 1999, c. 742, §3, is repealed.

Sec. 5. 24-A MRSA §4303, sub-§3-B, as enacted by PL 1999, c. 742, §7, is amended to read:

3-B. Prohibition on financial incentives. A carrier offering a managed care plan may not offer or pay any type of material inducement, bonus or other financial incentive to a participating provider to deny, reduce, withhold, limit or delay specific medically necessary and appropriate health care services covered under the plan to an enrollee. This subsection may not be construed to prohibit contracts that contain incentive plans that involve general payments such as capitation payments or risk-sharing agreements that are made with respect to providers or groups of providers or that are made with respect to groups of enrollees.

Sec. 6. 24-A MRSA §4304, sub-§1, as enacted by PL 1995, c. 673, Pt. C, §1 and affected by §2, is amended to read:

1. Requirements for medical review or utilization review practices. A carrier must appoint a medical director who is responsible for reviewing and approving the carrier's policies governing the clinical aspects of coverage determinations by any health plan that it offers. A carrier's medical review or utilization review practices must be governed by the standard of medically necessary health care as defined in this chapter.

See title page for effective date.

CHAPTER 289

S.P. 490 - L.D. 1579

An Act to Clarify the Unlawful Use of Snowmobile Trails

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

Sec. 1. 12 MRSA §7857, sub-§3, as repealed and replaced by PL 1985, c. 762, §11, is amended to read:

3. Unlawfully operating an ATV on a snowmobile trail. A person is guilty of unlawfully operating a vehicle on a snowmobile trail, if ~~he~~ that person operates any 4-wheel drive vehicle, dune buggy, ATV, motorcycle or any other motor vehicle, other than a snowmobile and appurtenant equipment, at any time on snowmobile trails ~~which~~ that are financed in whole or in part with funds from the Snowmobile Trail Fund, unless that use has been authorized by the landowner or ~~his~~ the landowner's agent, or unless the use is necessitated by an emergency involving safety of persons or property.

See title page for effective date.

CHAPTER 290

H.P. 1201 - L.D. 1623

An Act Concerning the Formation of the Central Maine Regional Public Safety Communication Center

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

Sec. 1. 25 MRSA c. 192 is enacted to read:

CHAPTER 192

CENTRAL MAINE REGIONAL PUBLIC SAFETY COMMUNICATION CENTER

§1511. Center established

There is established within the Department of Public Safety, Bureau of State Police, the Central Maine Regional Public Safety Communication Center, referred to in this chapter as the "center." The purpose of the center is to provide emergency communication services to participating state, county and municipal public safety agencies in the central Maine region. The following entities may participate in the establishment of the center: the Maine State Police, Kennebec County and the municipalities of Gardiner, Augusta, Waterville, Winslow and Oakland. An entity that receives emergency communications services from the center, whether or not the entity was involved in establishing the center, is referred to in this chapter as a "participating entity."

§1512. Center governance

The center is governed in accordance with this section.

1. Governing council. The center operates under a governing council.