

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

SECOND REGULAR SESSION
January 6, 2010 to April 12, 2010

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 12, 2010

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

Augusta, Maine
2010

equipment is available for use by public school students.

In order to facilitate the achievement of the goals and policies of this section, the authority shall establish and regularly update, after opportunity for public comment and taking into consideration relevant federal policies, a definition of "broadband."

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

Effective April 1, 2010.

CHAPTER 587

H.P. 1112 - L.D. 1574

An Act To Amend the Rights and Liabilities of the Supervising Physician of a Physician Assistant

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

Sec. 1. 37-B MRSA §185, sub-§1-A is enacted to read:

1-A. Immunity from civil and criminal liability for supervising physician. Subsection 1 applies to the supervising physician of a physician assistant under Title 32, section 2594-B or 3270-B:

A. With regard to any act of the physician assistant in providing services to individuals not on active state service;

B. When the physician assistant is on active state service in the performance of the physician assistant's duty; and

C. When the supervising physician is not on active state service.

See title page for effective date.

CHAPTER 588

H.P. 1148 - L.D. 1620

An Act To Protect Health Care Consumers from Catastrophic Debt

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

Sec. 1. 24-A MRSA §4317 is enacted to read:

§4317. Prohibition against maximum aggregate benefit provisions

1. Prohibition. An individual or group health plan issued or renewed by a carrier on or after the effective date of this section may not include a provision in a policy, contract, certificate or agreement that purports to terminate payment of any additional claims for coverage of health care services after a defined maximum aggregate dollar amount of claims for coverage of health care services on an annual, lifetime or other basis has been paid under the health plan for coverage of an insured individual, family or group.

2. Specific benefits. This section may not be construed to limit the ability of a carrier to offer a health plan that limits benefits under the health plan for specified health care services on an annual basis.

3. Exceptions. This section does not apply to:

A. An individual health plan in effect on the effective date of this section with an annual or lifetime maximum aggregate benefit limit of less than \$1,000,000;

B. A health plan designed for an employee who works on a part-time, temporary or seasonal basis or designed as short-term coverage for an employee who is fulfilling a waiting period for coverage under another employer-sponsored benefit plan;

C. An individual health plan in effect on the effective date of this section issued pursuant to a conversion privilege in a group health insurance policy subject to section 2809-A;

D. A pilot project to offer an individual health plan to a person under 30 years of age pursuant to section 2736-C, subsection 10; and

E. Blanket health insurance as defined in section 2813.

4. Disclosure. A health plan issued after the effective date of this section that includes an annual or lifetime maximum aggregate benefit limit as permitted under subsection 3 must include a disclosure of the applicable limit on the face page of the individual policy or group certificate. The disclosure must be printed in a font that is larger or bolder than the font used in the body of the face page.

Sec. 2. Rulemaking. The Superintendent of Insurance shall undertake rulemaking in accordance with the Maine Revised Statutes, Title 5, chapter 375 to amend any rule adopted by the Department of Professional and Financial Regulation, Bureau of Insurance that conflicts with this Act. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 3. Application. The requirements of this Act apply to all policies, contracts and certificates sub-

ject to this Act that are executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2011. For purposes of this Act, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

See title page for effective date.

CHAPTER 589

H.P. 1130 - L.D. 1592

An Act To Update the Laws Affecting the Maine Center for Disease Control and Prevention

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.

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

Sec. 1. 22 MRSA §263 is enacted to read:

§263. Fees for services provided to municipalities

The department shall adopt rules to charge fees for services provided to municipalities by the Maine Center for Disease Control and Prevention pertaining to health data and vital statistics, including but not limited to fees for services, paper and supplies. The department shall review fees charged under this section every 3 years beginning in 2013. Rules adopted pursuant to this section are major substantive rules as defined by Title 5, chapter 375, subchapter 2-A.

Sec. 2. 22 MRSA §2494, sub-§3, as amended by PL 2007, c. 539, Pt. F, §1, is further amended to read:

3. Three hundred dollars. ~~One hundred seventy-five~~ Three hundred dollars for all other establishments, places and camps not included in subsection 1 or 2.

Sec. 3. 22 MRSA §2502 is enacted to read:

§2502. Transaction fee for electronic renewal of license

The department may collect a transaction fee from a licensee who renews a license electronically under this chapter. The fee may not exceed the cost of providing the electronic license renewal service. The department may adopt rules necessary to implement this section. Rules adopted pursuant to this section are

routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 4. 30-A MRSA §2652, sub-§1, ¶C, as amended by PL 2005, c. 683, Pt. C, §8, is further amended to read:

C. Affidavit establishing or correcting a record of birth, marriage or death as provided by Title 22, sections 2705 and 2764, \$4;

(1) Issuance of a copy of the record to the applicant, ~~\$40~~ \$15 for the first copy and ~~\$5~~ \$6 for each additional copy;

Sec. 5. 30-A MRSA §2652, sub-§1, ¶D, as amended by PL 2005, c. 683, Pt. C, §8, is further amended to read:

D. Affidavit legitimating a birth as provided by Title 22, section 2765, \$4;

(1) Issuance of a copy of the amended birth record to the applicant, ~~\$40~~ \$15 for the first copy and ~~\$5~~ \$6 for each additional copy;

Sec. 6. 30-A MRSA §2652, sub-§2, as amended by PL 2005, c. 86, §1, is further amended to read:

2. Marriage intentions and license. Recording marriage intentions and issuing a marriage license, ~~\$30~~ \$40, except, when the laws of this State require 2 licenses, the fee is ~~\$15~~ \$20 each;

Sec. 7. 30-A MRSA §2652, sub-§3, as amended by PL 2005, c. 112, §§1 and 2, is further amended to read:

3. Birth, marriage or death certificates. Issuing the following:

A. Certificate of birth, marriage or death, the clerk may charge up to ~~\$40~~ \$15 for the first copy and ~~up to \$5~~ \$6 for each additional copy; and

B. ~~Burial permit, \$5~~ Permit for the disposition of human remains, \$20, except that no fee is owed if the disposition of human remains is paid for through the municipal general assistance program under chapter 1161; and

Sec. 8. 30-A MRSA §2652, as amended by PL 2005, c. 86, §1; c. 112, §§1 and 2; and c. 683, Pt. C, §8, is further amended by adding at the end a new paragraph to read:

The Department of Health and Human Services, Maine Center for Disease Control and Prevention shall review the fees charged by the clerk under this section every 3 years beginning in 2013.

Sec. 9. 30-A MRSA §4211, sub-§5, as amended by PL 2009, c. 213, Pt. FFFF, §1, is further amended to read: