

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

SECOND SPECIAL SESSION
June 19, 2018 to September 13, 2018

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 13, 2018

ONE HUNDRED AND TWENTY-NINTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2018 to June 20, 2019

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 2019

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

Augusta, Maine
2019

§4010-D. Child welfare advisory panel; annual report

The department shall submit a report annually to the joint standing committee of the Legislature having jurisdiction over health and human services matters on the activities of and reports produced by the child welfare advisory panel formed pursuant to the federal Children's Justice Act, 42 United States Code, Section 5106a to make policy and training recommendations for system improvements in the investigative, administrative and judicial handling of child abuse, neglect and exploitation cases and child maltreatment-related fatalities.

See title page for effective date.

CHAPTER 29

H.P. 209 - L.D. 285

**An Act To Provide for
Legislative Review of Federally
Mandated Major Substantive
Rules under the Maine
Administrative Procedure Act**

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

Sec. 1. 5 MRSA §8074, as enacted by PL 1995, c. 463, §2, is repealed.

See title page for effective date.

CHAPTER 30

H.P. 215 - L.D. 291

**An Act Regarding
Responsibility for the
Duplicative or Incorrect
Payment of Health Insurance
Claims**

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

Sec. 1. 24-A MRSA §4303, sub-§23 is enacted to read:

23. Duplicative or incorrect claims payments.
If a carrier has made a duplicative or incorrect payment on a claim with respect to a health plan:

A. If the claim payment was made to a provider, the carrier shall retroactively seek collection related to that payment directly from the provider; and

B. The carrier may not attempt to retroactively seek collection related to the claim payment from an enrollee unless the enrollee was already paid

directly for the services identified in the claim and a provider submits evidence to the carrier that the enrollee did not forward payment to the provider. After a provider has submitted evidence that the enrollee did not forward payment to the provider, a carrier may require an enrollee to provide evidence of payment to the provider.

See title page for effective date.

CHAPTER 31

H.P. 276 - L.D. 350

**An Act To Exempt School
Buses from Snow Tire
Restrictions**

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

Sec. 1. 29-A MRSA §1919, sub-§3, as enacted by PL 2003, c. 452, Pt. Q, §24 and affected by Pt. X, §2, is amended to read:

3. Application. Subsection 1 does not apply to fire department vehicles or school buses ~~during the months school is in regular session.~~

See title page for effective date.

CHAPTER 32

S.P. 119 - L.D. 441

**An Act To Reduce Childhood
Exposure to Harmful
Ultraviolet Radiation by
Allowing Students To Use
Sunscreen in Schools**

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

Sec. 1. 20-A MRSA §254, sub-§5, ¶D is enacted to read:

D. Rules adopted by the commissioner under this subsection must authorize students who attend public school to possess and use a topical sunscreen product while on school property or at a school-sponsored event without a note or prescription from a licensed health care professional if the product is regulated by the federal Food and Drug Administration for over-the-counter use for the purpose of limiting skin damage from ultraviolet radiation.

See title page for effective date.