

# 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.**

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**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.

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**Sec. 1. 5 MRSA §8074**, as enacted by PL 1995, c. 463, §2, is repealed.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

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**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.

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**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.

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**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.