

# 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**

the granting of a step therapy override exception determination.

C. Upon the granting of a step therapy override exception determination, the carrier or utilization review organization shall authorize coverage for the prescription drug prescribed by the prescriber.

D. A carrier or utilization review organization shall grant or deny a request for a step therapy override exception determination or an appeal of a determination within 72 hours, or 2 business days, whichever is less, after receipt of the request. If exigent circumstances, as described in section 4311, subsection 1-A, paragraph B, exist, a carrier or utilization review organization shall grant or deny the request within 24 hours after receipt of the request. The carrier shall provide coverage for the prescription drug prescribed by the prescriber during the pendency of the request for a step therapy override exception determination or an appeal of a determination. If a carrier or utilization review organization does not grant or deny the request within the time required under this paragraph, the exception or appeal is granted.

E. An enrollee may appeal a step therapy override exception determination.

F. This section does not prevent:

(1) A carrier or utilization review organization from requiring an enrollee to try a generic drug, as defined in Title 32, section 13702-A, subsection 14, or an interchangeable biological product, as defined in Title 32, section 13702-A, subsection 14-A, prior to providing coverage for the equivalent brand-name prescription drug; or

(2) A health care provider from prescribing a prescription drug that is determined to be medically necessary.

7. Rules. The superintendent may adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 2. Application.** The requirements of this Act apply to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2020. 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 296  
H.P. 933 - L.D. 1290**

**An Act To Increase  
Transparency with Regard to  
Pawnshops**

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

**Sec. 1. 30-A MRSA §3962, sub-§3,** as amended by PL 1993, c. 59, §2, is further amended to read:

**3. List filed with law enforcement agency and regional tracking system.** ~~Before the 15th day of every month, the~~ Within 10 days of a transaction, a pawnbroker shall file with the law enforcement agency of jurisdiction submit to a regional property and recovery tracking system administered by a regional law enforcement support organization designated by the Department of Public Safety, Bureau of State Police, in a form acceptable to that agency the recipient, a summary report of the pawn transactions entered into during the preceding calendar month. transaction, including:

A. The name and address of the pawnbroker;

B. The date and time of the transaction;

C. The name, address, date of birth, telephone number, if any, and unique identifying number on the written proof of identification required under section 3971 of the consumer or seller; and

D. Information on every item involved in the transaction, including a description of the item, manufacturer, if known, serial number, if any, and amount of the loan or purchase price given for the item.

**Sec. 2. Effective date.** This Act takes effect July 1, 2020.

Effective July 1, 2020.

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**CHAPTER 297  
H.P. 966 - L.D. 1338**

**An Act To Protect Teachers  
from Unfair Evaluations**

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

**Sec. 1. 20-A MRSA §13201, sub-§3,** as enacted by PL 2019, c. 132, §2, is amended to read:

**3. Termination upon elimination of a teaching position.** The right to terminate a contract, after due notice of 90 days, is reserved to the school board when changes in local conditions warrant the elimination of